S2815-1-UL

1988

ANNUAL STATISTICAL REPORT

Report to the Supreme Court of Iowa

by

The State Court Administrator

STATE COURT ADMINISTRATOR

WILLIAM J. O'BRIEN
STATE COURT ADMINISTRATOR

STATE CAPITOL
DES MOINES, IOWA 50319

June 6, 1989

TO THE HONORABLE CHIEF JUSTICE AND JUSTICES
OF THE SUPREME COURT OF IOWA

Pursuant to the provisions of the Iowa Code section 602.1209, I submit herewith the 1988 report relating to the activity of the judicial department.

I wish to express my appreciation to the various clerks of the Iowa District Court, district court administrators and judicial officers for their cooperation in reporting statistics to this office.

Respectfully,

William J. O'Brien
State Court Administrator

WJO/dc

TABLE OF CONTENTS

	PAGE
Letter of Transmittal	i
Statistical Highlights and Trends	iv

I. APPELLATE COURTS

THE SUPREME COURT OF IOWA

Narrative	1
Work Load	9

THE IOWA COURT OF APPEALS

Narrative	13
Work Load	14
Iowa Appellate Courts Statistical Summary	15

Tables and Charts

Chart 1	3
Chart 2	8
Tables 1 through 12	17-28

II. TRIAL COURT

THE IOWA DISTRICT COURT

Narrative	29
Magistrates	29
Jurisdiction	30
District Associate Judges	31
Jurisdiction	32
Trial by Jury and Appeal Provisions	33
District Court Judges	33
Jurisdiction	33
Senior Judges	34
Clerks of District Court	34-35
Judgeship Formula	36-38

TABLE OF CONTENTS

(Continued)

Analysis of Statistics 39

Regular Civil and Criminal Cases 39
District Judges' Activities 39
District Associate Judges' Activities 40
Civil and Criminal Filings by Case Type 40
Pending Regular Civil and Criminal Cases 41

Probate Matters 41

Juvenile Matters 42

Termination of Parental Rights 42

Hospitalization Hearings 43

General Activities of District Associate Judges 43

Magistrates 44

District Court Clerks 45

Summary of Trial Court Statistics 47-48

Tables and Appendices
Tables 1 through 16 49-79

Appendices A through H 80-87

STATISTICAL HIGHLIGHTS AND TRENDS

Appellate Courts

1. In 1988, there were 1,900 filings (1,454 civil, 446 criminal) and 1,859 dispositions (1,462 civil, 397 criminal). Filings and dispositions increased 4.3 percent and 1.1 percent, respectively, from 1987.

2. Since 1977, the number of filings in the appellate courts soared 53.5 percent (1,231 to 1,900) or an average of almost 5.0 percent per year; the number of filings per appellate judge climbed 44.3 percent (88 to 127). [Table 12]

3. There were 1,015 formal dispositions (789 civil, 226 criminal) in the appellate courts in 1988 -- an 11.5 percent increase from 1987. By formal opinion, the supreme court disposed of 359 cases (290 civil, 69 criminal); the court of appeals handled 669 cases (512 civil, 157 criminal). The number of civil cases disposed of by formal opinion in the appellate courts increased 17.8 percent (670 to 789) from 1987 to 1988; the number of criminal cases dropped 5.8 percent (240 to 226). There were 824 appellate cases (653 civil, 171 criminal) terminated by order or other mode prior to submission to the court as compared to 929 dispositions of this kind in 1987. [Tables 3 and 9]

4. Excluding attorney disciplinary cases, in 1988, cases involving domestic relations (dissolutions and child custody) comprised 35.4 percent (273 of 771) of the formal appellate decisions in civil cases -- the largest single category of dispositions. The 127 contract cases comprised the second most numerous type of civil case followed by torts (116) and administrative law (92) cases. The number of attorney disciplinary cases disposed of by formal opinion decreased 28.0 percent from 25 to 18. [Tables 3 and 9]

5. The average appellate case terminated by formal opinion was decided six months after it was ready for submission; the average elapse time from the filing of a notice of appeal to the time a case was ready for submission was about seven months. Regular civil cases submitted to the supreme court in January 1989, were made ready in or before August 1988 -- a delay of five months or three months less than the previous year.

6. During 1988, the number of pending cases in the appellate courts increased 5.3 percent (1,293 to 1,361). The number of cases "ready" for disposition jumped 6.3 percent (494 to 525). [A "ready" case in this context is defined as any pending case in which all necessary papers have been filed; it includes cases which have been submitted to the court but not decided.] [Tables 4 and 8]

7. By formal opinion, the appellate courts affirmed the decision of the trial court approximately two-thirds of the time; about one out of five district court filings were reversed and in the remaining cases the appellate courts rendered a mixed decision, partially affirming and reversing the trial court. The supreme court was more likely to reverse the trial court (27 percent) than the court of appeals (17 percent).

8. In 1988, the supreme court granted further review in 53 cases and denied further review in 261 instances. Since 1977, the supreme court has denied further review in 85 percent of the cases (2,061/2,412). [Table 10]

9. In 1988, the supreme court vacated the judgment of the court of appeals in 32 cases and affirmed eight decisions.

Trial Court

1. In the 32-year period since 1956, the first year trial court statistics were collected and analyzed at the state level, the number of civil filings escalated 111.3 percent (22,922 to 48,432) while the number of criminal filings skyrocketed 704.5 percent (6,178 to 49,704); the number of civil/criminal filings per district judge mushroomed 136.5 percent (416 to 981). [Appendix F] Iowa's population grew 4.1 percent (2,722,375 to 2,834,600) during this period.

2. Since 1956, the number of civil/criminal dispositions per district court judge jumped 85.5 percent (394 to 731). [Appendix H]

3. Since 1956, the number of juvenile petitions soared 319.7 percent (1,607 to 6,745). The number of probate cases opened rose 58.8 percent (16,137 to 25,621) since 1956. During 1988, the number of juvenile and probate cases rose 11.2 and 5.0 percent, respectively, from 1987. [Appendix F]

4. Since 1974, the first calendar year after unification of the Iowa District Court, civil filings, criminal filings, juvenile petitions, and probate matters have increased 33.7, 140.7, 23.9, and 13.1 percent, respectively. Similarly, the number of simple misdemeanors/scheduled violations filings increased 44.9 percent (484,651 to 704,486) while the number of small claims petitions decreased 4.2 percent (68,021 to 65,131). The 1988 figures show a 4.8 percent decrease in the number of simple misdemeanor filings, a 0.6 percent drop in the number of scheduled violations and 2.7 percent rise in the number of small claims filed in the district court from 1987. [Appendices F and G]

5. In 1988, only 469 of the 240,676 simple misdemeanors (0.2 percent) and 703 of the 29,019 small claims (2.4 percent) terminated by judicial officers were appealed to the district court. [Tables 5 and 6]

6. In 1988, dissolutions and modifications (17,705), uniform support (5,427), and domestic abuse (276) filings accounted for 23,408 cases or 48.3 percent of all civil filings (48,432). Drunk driving (OWI) cases represented 17,033 of the 49,704 criminal filings or 34.3 percent of all criminal filings. There were 8,666 felony filings in 1988 -- up 436 cases or 5.3 percent from the 8,230 felony filings in 1987. [Tables 5 and 6]

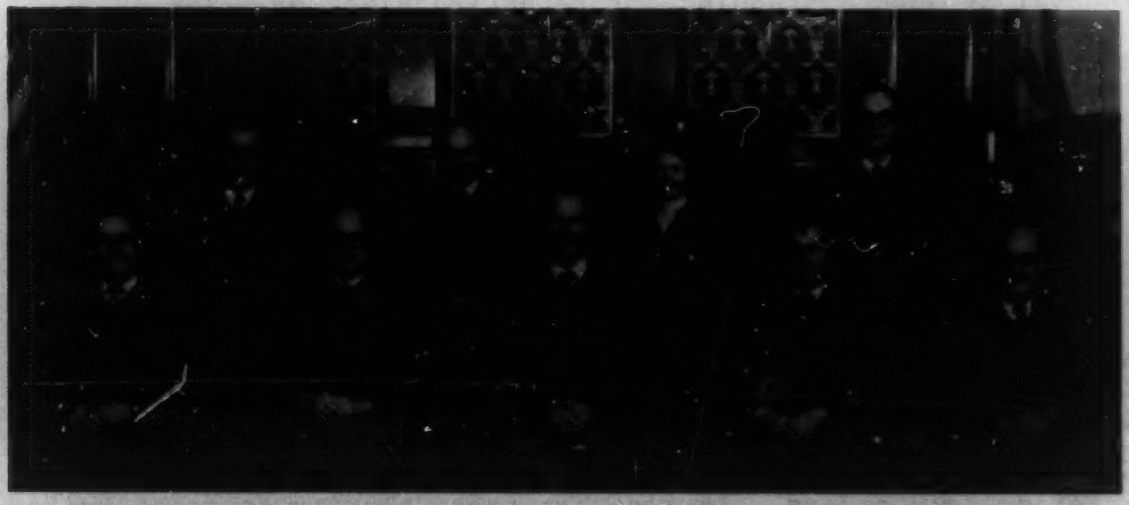
7. The number of civil cases pending decreased by 18.9 percent (43,278 to 35,089) from December 31, 1987 to December 31, 1988. The number of civil cases pending over 18 months dropped 33.7 percent (9,966 to 6,611). On the other hand, the number of pending criminal cases rose 14.1 percent (19,473 to 22,218) during 1988; the number pending over 18 months climbed 9.9 percent (3,694 to 4,058). **[Appendices A and B]**

I. APPELLATE COURTS

THE SUPREME COURT OF IOWA

The Supreme Court of Iowa is composed of nine justices. The chief justice is selected by a vote of the court and serves for the duration of his or her eight-year term of office. As of January 1, 1989, one hundred persons have served on the supreme court since Iowa became a territory in 1838. Although the high court was composed of only three justices during the first 26 years, the general assembly increased the court's membership to four in 1864, to five in 1876, to six in 1894, to seven in 1913, to eight in 1927, and nine in 1929, as a result of rising caseload.

At the end of 1988, the justices of the supreme court listed in order of seniority were: David Harris (Jefferson), Arthur A. McGiverin, Chief Justice, (Ottumwa), Jerry L. Larson (Harlan), Louis W. Schultz (Iowa City), James H. Carter (Cedar Rapids), Louis A. Lavorato (Des Moines), Linda K. Neuman (Davenport), Bruce M. Snell, Jr. (Ida Grove), and James H. Andreasen (Algona).



Pictured above, the justices of the Supreme Court of Iowa are: (seated) Justices Louis W. Schultz, David Harris, Arthur A. McGiverin (Chief), Jerry L. Larson, and James H. Carter; (standing) Bruce M. Snell, Jr., Louis A. Lavorato, Linda K. Neuman, and James H. Andreasen.

Selection and Removal

The method of selecting justices to the Supreme Court of Iowa has changed several times since 1838. While the three territorial justices were appointed by the President of the United States, when Iowa became a state on December 28, 1846, the constitution provided for the selection of supreme court justices by a joint vote of both houses of the general assembly. Iowa's second constitution, adopted in 1857, reflected the mood of Jacksonian democracy and called for the popular election of judges. Finally, in 1962, Iowa voters ratified a constitutional amendment which removed judges from partisan elections and established a 15-member State Judicial Nominating Commission composed of seven laypersons appointed by the governor and confirmed by the senate and seven attorneys elected by members of the Iowa bar. The supreme court justice with the longest service, other than the chief justice, chairs the commission. Whenever a vacancy occurs on the Supreme Court of Iowa, the commission nominates three individuals from whom the governor selects one. One year following initial appointment, and every eight years thereafter, supreme court justices stand for retention at the general election. Trial and appellate judges appointed after July 1, 1965, must retire by age 72; those appointed earlier may serve until their 75th birthday.

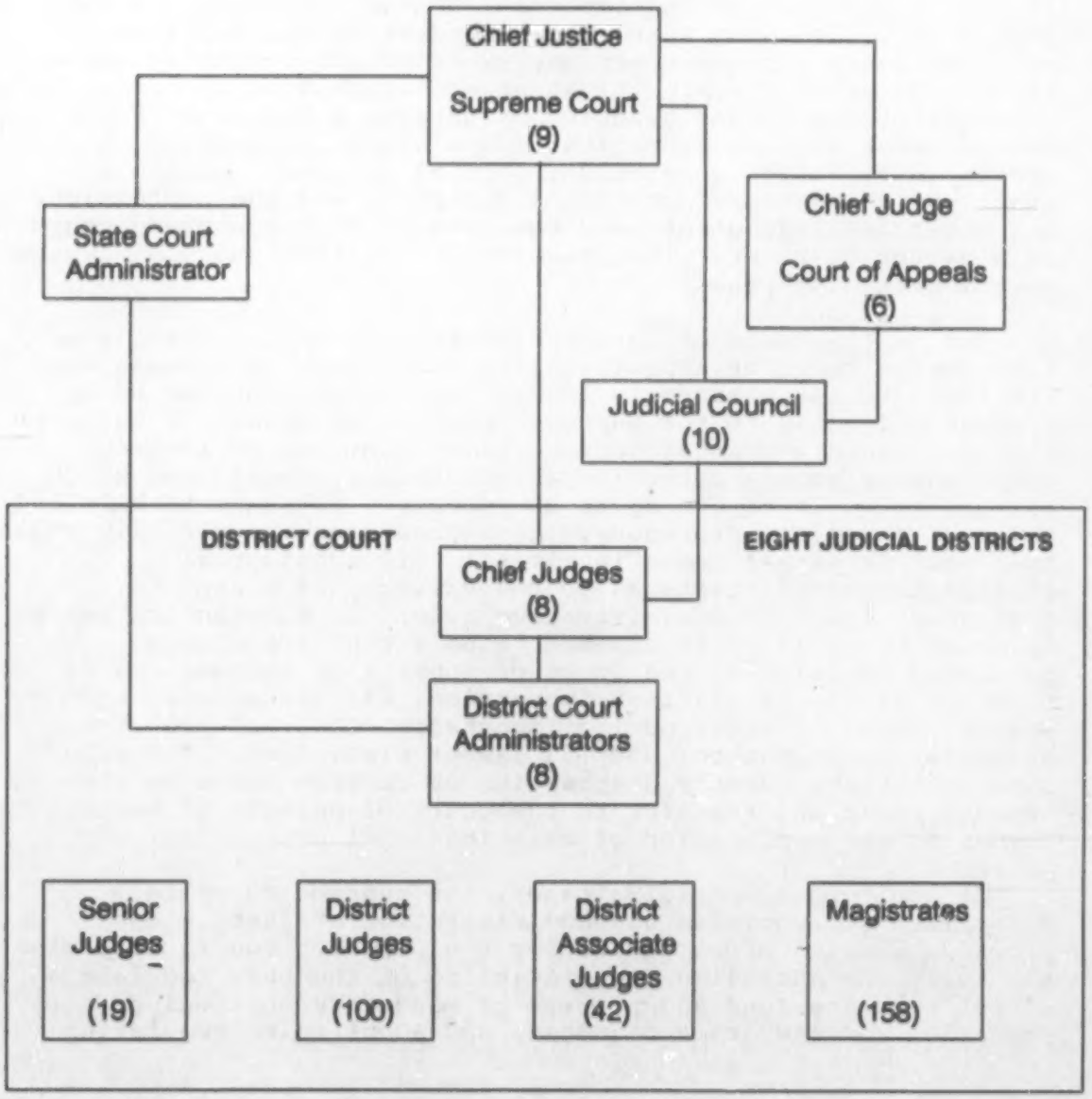
Procedures were established in 1975 for the discipline and removal of judges standing for retention election. The Commission on Judicial Qualifications may apply to the supreme court to retire, discipline or remove any justice, judge or magistrate. The commission is composed of a district court judge and two practicing attorneys appointed by the chief justice of the supreme court and four non-attorney electors appointed by the governor and confirmed by the senate.

Jurisdiction

The supreme court stands at the apex of the Iowa judicial system. The court has general appellate jurisdiction in both civil and criminal cases. The court also has original jurisdiction in such cases as reapportionment, bar discipline and the issuance of temporary injunctions. The supreme court has jurisdiction over all appeals from final judgments and from interlocutory orders. It also has the authority to grant writs of certiorari in cases where a district court is alleged to have exceeded its jurisdiction or otherwise acted illegally. A majority of cases handled by the supreme court are appeals from adverse final judgments in the trial court, the Iowa District Court. Except where the action involves an interest in real

CHART 1

IOWA JUDICIAL DEPARTMENT
(January 1, 1989)



estate, no appeal shall be taken in any case where the amount in controversy, as shown by the pleadings, is less than $3,000 unless the trial judge certifies that the cause is one in which appeal should be allowed. In small claims actions, where the amount in controversy is $2,000 or less, the supreme court may exercise discretionary review in the following cases: (1) an order dismissing an arrest or search warrant; (2) an order suppressing or admitting evidence; (3) an order granting or denying a change of venue; and (4) a final judgment or order raising a question of law important to the judiciary and the profession. In cases where the defendant is the appellant or applicant, the supreme court may exercise discretionary review in the following cases: (1) an order suppressing or admitting evidence; (2) an order granting or denying a change of venue; (3) an order denying probation; (4) a simple misdemeanor or ordinance violation conviction; and (5) an order raising a question of law important to the judiciary and the profession. All other final judgments may be appealed to the supreme court as a matter of right. [See diagram of the Iowa judicial system on the preceding page.]

The 1976 Session of the 66th General Assembly established a five-member court of appeals. [The Iowa Court of Appeals was increased to six members in 1983.] All cases continue to be appealed directly to the supreme court which transfers cases to the intermediate court. Supreme court justices in rotating three-member panels determine which cases to retain and which matters to route to the court of appeals. Pursuant to Rule 401, Rules of Appellate Procedure, the supreme court ordinarily shall hear (not transfer) cases involving: (1) substantial constitutional questions as to the validity of a statute, ordinance, court or administrative rule; (2) substantial issues in which there is or is claimed to be a conflict with a published decision of the court of appeals or supreme court; (3) substantial issues of first impression; (4) fundamental and urgent issues of broad public importance requiring prompt or ultimate determination; and (5) lawyer discipline. The rule also authorizes summary disposition of certain cases by the supreme court and transfer to the court of appeals of cases involving the application of existing legal principles.

In addition to deciding cases, the supreme court is authorized to supervise the administration of justice and promulgate rules of procedure for the district court, determine the rules for admission and discipline of the bar, regulate a client security fund and program of mandatory continuing education for lawyers and judges, and adopt rules regulating

appellate practice and procedure. In exercising its administrative and supervisory control over the trial court, the Supreme Court of Iowa appoints a chief judge in each of the eight judicial districts. The chief judges are responsible for overseeing all judges and magistrates within their jurisdictions. Together with the chief justice of the supreme court and the chief judge of the court of appeals, chief judges of the district court comprise the Iowa Judicial Council. The council is authorized to consider all court administrative rules, directives, and regulations necessary to provide for an efficient, orderly, and effective administration of justice in Iowa.

Administrative Office

Assisting the supreme court in its administrative, supervisory, and decision-making roles are the state court administrator, clerk of the supreme court, legal assistants, and various boards and commissions. The court administrator, clerk of supreme court and legal assistants serve at the pleasure of the court. The court administrator and staff have many statutory and administrative responsibilities including: managing the judicial department, screening cases for oral argument and case routing, writing case statements, gathering statistical data on judicial business at all levels, apportioning judicial magistrates among the counties, computing the district court judgeship formula, conducting educational programs for judicial officers and support staff, recommending improvements in the organization and operation of the judicial system, administering the judicial retirement system, handling fiscal and personnel matters, planning and budgeting for the judicial department, providing administrative assistance to various court-appointed committees, and attending to such matters as the supreme court committees, and attending to such matters as the supreme court may direct. The court administrator serves as the executive secretary for the Judicial Qualifications Commission and secretary to the State Judicial Nominating Commission; the court administrator is also a member of the Criminal and Juvenile Justice Planning Agency and the State Library Commission.

The clerk of the supreme court also serves as the clerk of the court of appeals. The clerk dockets and monitors all cases appealed to the court, collects court fees, files legal briefs, and appendices, and records and files every opinion and order of the appellate courts. The clerk is responsible for the sale of court opinions, the administration of the biannual Iowa bar examination, and the election of attorney-members to the state

and judicial election district nominating commissions. The clerk of the supreme court also collects and accounts for all fees associated with the state bar examination and the shorthand reporter examination and certification.

Boards and Commissions

In its role as supervisor of the Iowa bar, the supreme court appoints the members of the Board of Law Examiners and confirms as commissioners of the court the members of the Grievance Commission and the Committee on Professional Ethics and Conduct. In 1973, with the assistance of The Iowa State Bar Association, the court established the Client Security and Attorney Disciplinary System designed to prevent defalcations by members of the Iowa bar and provide for the payment of losses caused to the public by dishonest conduct of Iowa attorneys. The court appointed a seven-member commission to administer the fund resulting from an annual assessment imposed on attorneys. In 1973, the supreme court ordered that all Iowa lawyers and judges complete a minimum of 15 hours of continuing legal education each year. Effective January 15, 1988, a minimum of two hours every two calendar years shall be devoted exclusively to the area of legal ethics. A 12-member Commission on Continuing Legal Education exercises general supervisory authority over the administration of this rule.

On December 28, 1984, the Supreme Court of Iowa, upon petition of The Iowa State Bar Association, established an Interest on Lawyers' Trust Account program (IOLTA), effective July 1, 1985. Attorneys in Iowa are required to deposit clients' funds in interest-bearing trust accounts. However, under this program, sums that are too small or held for too short a time to cover the cost of maintaining the accounts, the attorneys are required to deposit such funds into a pooled interest-bearing trust account. Any interest resulting from the pooled account is transmitted to the Lawyer Trust Account Commission, a seven-member body of both lawyers and laypersons appointed by the supreme court to administer the IOLTA program. Funds received in the IOLTA program are used primarily to assist in providing legal services to the poor in civil cases. Other public purposes related to improving the administration of justice also are eligible. The supreme court determines the actual allocation of IOLTA funds. As of January 1, 1988, IOLTA grants totaling over $2 million have been awarded.

The supreme court is responsible for promulgating rules of evidence, appellate, civil, criminal, juvenile and probate procedure. The court also is authorized to prescribe rules of evidence, pleading, practice, and procedure, and the forms of

process, writs, and notices for all proceedings concerning hospitalization of mentally ill persons and chemical substance abuse. In exercising its rulemaking authority, the supreme court is assisted by several committees including: (1) the Supreme Court Committee on Rules of Civil Procedure; (2) the Advisory Committee on Rules of Criminal Procedure; (3) the Supreme Court Advisory Committee on Iowa Rules of Evidence; (4) the Supreme Court Advisory Committee on Rules of Juvenile Procedure; and (5) the Probate Rules Committee.

Court Reorganization

In recent years the administrative responsibilities of the state court administrator and supreme court have increased dramatically as the size of the judicial department has grown to over 2,000 employees. The 1983 Court Reorganization Act provided state funding for court support staff and a five-year implementation phase-in by functional area as follows: October 1, 1983 - jury fees and mileage: July 1, 1984 - court reporters, and witness fees and mileage; January 1, 1985 - court attendants; July 1, 1985 - juvenile referees, juvenile court officers, and staff; July 1, 1986 - district court clerks and staff, probate referees, judicial hospitalization referees, and incidental judicial expenses; and July 1, 1987 - indigent defense costs. Court reorganization was completed in 1987.

The supreme court has appointed advisory committees from different components joining the judicial department to assist the court in implementing a smooth transition. A personnel system and pay plan for all judicial employees has been established. The state court administrator is the public employer of court employees for purposes of public employment relations.

The supreme court also is assisted by eight chief judges and district court administrators who supervise judicial officers and employees in their respective districts. Although funding is now centralized, most of the day-to-day administration is done at the district level where budgets are developed and expenditures are monitored. The supreme court and staff review all budget requests, prepare a departmental budget, and present the budget request to the legislative branch. A budget summary is attached to the chief justice's annual "State of the Judiciary" message to the legislature.

Budget

The 1988 Session of the 71st General Assembly appropriated $58,159,405 to finance the operation and administration of the Judicial Department for fiscal year ending June 30, 1989. This figure includes appropriations for the supreme court, court of appeals, state court administrator's office, district court administration, court-related boards and commissions, jury and witness fees, the salaries and travel expenses of all judicial officers, referees, and support staff, and the offices of district court clerks and juvenile court services.

As noted in Chart 2 below, the general fund appropriation for the judiciary represented 2.3 percent of the total state general fund appropriation of $2,638,058,699.

CHART 2

STATE OF IOWA

Appropriated funds for Fiscal Year 1989
in millions of dollars: $2,638.06

	Money	Percent
Education	$1,516.81	57.50%
Administration	400.85	15.19%
Transportation & Safety	15.72	0.60%
Justice System*	94.31	3.57%
Judicial Department**	58.16	2.20%
Health & Human Rights	33.88	1.28%
Agriculture & Natural Resources	28.73	1.09%
Regulation	9.88	0.38%
Human Services	472.13	17.90%
Economic Development	7.59	0.29%
TOTAL	$2,638.06	100.00%

The cost of administering the Judicial Department is 2.2 percent of the total State General Fund Appropriation for FY 1989.

Source: Legislative Fiscal Bureau, 1988 Session Fiscal Report, June 1988.

*In this chart Justice System does not include appropriations to the Judicial Department. Included in this category are funds appropriated to: the Attorney General's Office, the Department of Corrections and Public Safety, the Law Enforcement Academy, the Parole Board indigent defense, juvenile victim restitution, and juvenile indigent defense.

**Judicial Department includes: appropriations for court operations.

Work Load

During 1988, the Supreme Court of Iowa disposed of 359 cases by written opinion -- 272 civil, 69 criminal, and 18 disciplinary. [Table 1] As illustrated in the chart below, the number of formal opinions increased 5.6 percent (340 to 359) from 1987 to 1988. The fluctuation in the number of per curiam opinions during the last few years is primarily the result of the use of the fast-track decision process whereby less complex cases are submitted without oral argument to rotating three-justice panels. Of the 95 per curiam opinions filed in 1988, 56 were handled by fast-track procedure.

Year	Signed Court Opinions	Unsigned Per Curiam Opinions	Total
1988	264	95	359
1987	244	96	340
1986	272	72	344
1985	273	31	304
1984	270	53	323
1983	281	174	455
1982	289	178	467
1981	278	105	383
1980	250	25	275

As illustrated in Table 2, 87.7 percent of the cases (315 of 359) decided by formal opinion were appealed to the supreme court as a matter of right. There were 271 appeals from final judgments in the district court, 6 appeals from interlocutory rules, 14 postconviction appeals, 18 attorney disciplinary actions, 1 case involving certified questions of law from the U.S. District Court, and 4 cases by miscellaneous modes of review. The Supreme Court of Iowa exercised discretionary review in only 45 cases -- 39 cases appealed from the court of appeals and 5 original certiorari cases and one small claim case.

Table 3 show the most numerous types of civil cases disposed of by written opinion concerned torts (56), contracts(55) administrative law (52, domestic relations (31), and property (21). Of the 69 criminal cases, 27 involved guilty pleas and/or sentencing issues, exclusively.

In addition to writing 359 opinions during 1988, the nine supreme court justices registered 32 dissents and 6 special concurrences. Their opinions totaled 3,154 pages or 350 pages per judge on double-spaced, letter-size paper. The average supreme court opinion was 8.8 pages in length. Ninety-one percent of the rulings (327 of 359) were approved by a unanimous vote of the justices.

Cases filed before the supreme court rose 4.3 percent from 1,822 (1987) to 1,900 (1988). As noted in Table 12, the number of filings in the supreme court mushroomed 52.5 percent (1,231 to 1,900) during the last decade. Since 1977, civil filings have soared 85.2 percent (785 to 1,454) while criminal cases have stabilized at 446 cases.

Table 4 indicates the number of civil and criminal cases "In Work," "Ready," "Assigned" and "Out-to-Judges" which were pending as of December 31, 1986, 1987, and 1988. From December 31, 1986, to the end of 1988, the number of cases "In Work" increased 8.0 percent (774 to 836); the number of cases "Ready" for disposition rose 15.1 percent (166 to 191). The total number of pending cases increased by 89 cases (999 to 1,088) or 8.9 percent.

When the pending cases in both appellate courts are examined, figures show an overall jump of 10.6 percent (1,293 to 1,361) in the number of pending cases from December 31, 1987, to the end of 1988. Including cases assigned and submitted but not decided, the number of cases ready for disposition (i.e., all necessary papers filed) escalated 6.3 percent (494 to 525) during 1988 or 32.9 percent (395 to 525) in two years.

As noted in Table 5,the average elapse time from "Ready" for submission to supreme court decision was 6.6 months in 1988 -- up nearly than a month from 1987. The processing time for civil, priority civil, and criminal cases in 1988 was 7.8, 3.4 and 3.4 months, respectively.

An examination of the direction of the supreme court decisions during 1988, indicates that 64 percent of the district court rulings were affirmed by the court, 27 percent were reversed, and 9 percent were mixed. (A "mixed" supreme court decision is defined as a ruling which both "affirms" and "modifies" or "reverses" parts of a district court ruling.) Fifty-four cases involving such matters as attorney disciplinary actions, appeals from the court of appeals, certification of questions of law, and original jurisdiction matters were not classified or included in the disposition direction computation.

	1980	1981	1982	1983	1984	1985	1986	1987	1988
Affirmed	53	67	64	62	60	61	60	60	64
Reversed	33	23	23	25	27	29	29	25	27
Mixed	14	10	13	13	13	10	11	15	9

Sixty percent of the cases (214/359) disposed of by written opinion were appealed from the trial courts of ten urban counties. Nearly one quarter of the cases arose in Polk County.

Counties	Number of Cases	Percentage of Total Cases Disposed
Polk	83	23.1
Linn	24	6.7
Pottawattamie	21	5.8
Scott	19	5.3
Black Hawk	14	3.9
Lee	13	3.6
Johnson	12	3.3
Story	10	2.8
Dubuque	10	2.8
Woodbury	8	2.2
TOTAL	214	59.6

In addition to the 359 supreme court cases disposed of by formal opinion after submission to the court, 1,559 cases (1,215 civil and 344 criminal) were disposed of by court order, consolidation, dismissal by the clerk for failure to cure a default or by voluntary action by the parties involved. Table 6 shows 123 cases were dismissed by order of the supreme court; 240 orders were issued denying petitions for various types of review; 75 cases were dismissed by the clerk for failure to cure a default after notice; 352 cases were voluntarily withdrawn by the parties; 19 cases were consolidated; 555 cases were transferred by order of the supreme court to the court of appeals, and 95 were disposed of by other means. In total, 1,918 filings were disposed of by the supreme court in 1988. Excluding cases transferred to the court of appeals, the supreme court disposed of 1,190 appeals in 1988.

A significant amount of judge-time also was spent ruling on preliminary motions and applications, conducting hearings, and writing 5,596 orders which did not result in the disposal of a case. Excluding orders transferring cases to the court of appeals, the number of dispository and non-dispository orders issued by the supreme court during the last eight years is illustrated on the next page.

Year	Dispository Orders	Nondispository Orders
1988	987	5,596
1987	921	4,837
1986	1,109	4,955
1985	1,068	5,128
1984	1,002	4,974
1983	893	5,071
1982	923	4,939
1981	822	5,006
1980	838	4,220

In recent years, several major structural and procedural changes have contributed to the supreme court's ability to handle an increasing number of appeals. One important innovation has been the reinstitution of a practice prevalent from 1929-43; namely, hearing and deciding cases in divisions of five members. Instead of spending four days a month in court hearing oral arguments, each justice now spends two days hearing oral arguments. (During the monthly court week, Wednesday and sometimes part of Thursday morning, generally are reserved for conference and administrative matters.) Except in the most complex and controversial cases in which two or more justices request disposition en banc (by the full nine-member court), cases before the supreme court are decided by division. The drafts of all proposed opinions are circulated to the entire court. At any time prior to final approval of a proposed opinion, any two justices may request that a specific case be decided en banc. The appellate screening staff initially examines all cases and recommends to a three-justice screening panel whether a case should be submitted en banc or to a division; staff attorneys also recommend the amount of oral argument time, if any, which should be allotted to each case, and whether the case should be retained by the supreme court or transferred to the court of appeals.

As noted in Table 7, 323 of the 359 supreme court decisions were decided by a division or panel of the nine-member court. There were 323 cases decided by a rotating panel of five justices; 56 cases were disposed of by three-justice fast-track panels. Only 10.0 percent of the cases disposed of in 1988 were decided by all nine justices sitting en banc.

In addition to using judicial panels to hear and decide cases, the court also has conserved time by reducing the number of cases permitted oral argument and limiting the amount of time each party can use in presenting its case. While before 1973 the court allowed 75 minutes to argue a case, today most oral arguments are limited to approximately 35 minutes. In 1988, nearly 30 percent of the cases were submitted to the supreme court without oral argument.

The number and percentage of appeals submitted to the supreme court without oral argument since 1980, are illustrated below.

SUBMISSIONS TO THE SUPREME COURT

Year	Oral	Non-Oral	Total	Percent Non-Oral
1988	256	106	362	29.3%
1987	226	144	370	38.9
1986	229	105	334	31.4
1985	250	53	303	17.5
1984	234	76	310	24.5
1983	257	193	450	43.5
1982	264	217	481	45.1
1981	254	136	390	34.9
1980	236	46	282	16.3

Other factors playing crucial roles in alleviating some of the court's research and administrative burdens include: the research of legal assistants, the case statements, court orders, and screening recommendations drafted by the screening staff, and the administrator and staff, and the clerk's office.

THE IOWA COURT OF APPEALS

In 1976, the 66th General Assembly established a new five-member appellate court designated as the Iowa Court of Appeals; in 1983 a sixth member was added. The new court began hearing oral arguments and deciding cases in January 1977. The members of the Iowa Court of Appeals listed in order of seniority are: Allen L. Donielson (Des Moines), Leo Oxberger, Chief Judge (Des Moines), Dick R. Schlegel (Ottumwa), Maynard J. V. Hayden (Indianola), Rosemary Shaw Sackett (Spencer), and Albert L. Habhab (Fort Dodge).

The court of appeals is authorized to review all civil and criminal actions, post-conviction remedy proceedings, small claims actions, writs, orders, and other processes transferred to it by the supreme court. The Iowa court of Appeals hears only the cases transferred to it by the supreme court. All cases continue to be appealed directly to the supreme court.

The judges of the Iowa Court of Appeals are , from left (seated) Allen L. Donielson, Chief Judge Leo Oxberger, and Dick R. Schlegel, (standing) Maynard J. V. Hayden, Rosemary Shaw Sackett, and Albert L. Habhab.

Work Load

As indicated in Table 8, during 1988, the six-member court of appeals disposed of 669 cases or 512 civil and 157 criminal -- the largest number of dispositions in its 12-year history. There were 138 per curiam opinions, 418 signed opinions, and 13 cases dismissed by order. Since the court of appeals was established in late 1976 and began deciding cases in 1977, it has disposed of 5,994 cases (4,385 civil and 1,609 criminal). There were 198 civil and 75 criminal cases pending before the court of appeals at the end of 1988.

The number and type of cases disposed of by formal written opinion are illustrated in Table 9. As noted in this table, the court of appeals disposed of 242 domestic relations cases (120 involving child custody), 72 contract cases, 60 tort cases, 40 administrative law matters, 23 property matters, and 22 post conviction relief cases. Sixteen of the 157 criminal cases disposed of involved exclusively sentencing or guilty plea issues.

Of the 643 cases classified by disposition, 442 or 68.7 percent were affirmed, 110 or 17 percent were reversed, and 91 or 14.2 percent were a combination of the two, modified or remanded only.

An overwhelming majority of the cases were heard and decided by a three-member division of the court. Only 34 of the 656 formal decisions or 5.2 percent were heard and decided en banc, by a vote of all six judges on the court.

During 1988, the supreme court considered 314 applications for further review and granted review in 53 cases or 16.9 percent of the time. Of the 40 court of appeals rulings reviewed by the supreme court in 1988, 32 were vacated and 8 were affirmed.

The average delay from the time a case was "ready" for submission to "decision" by the court of appeals was 5.8 months -- the same as the year before and almost seven months less than appellate delay in 1977, the court's first year of operation. [Table 11] In 1988, the average elapse time for non-priority civil cases was 6.5 months; the delay was 16.1 months in 1977. The average delay in case processing has remained relatively constant since 1978.

Of the 656 cases submitted to the court of appeals in 1988, 320 or 48.8 percent were heard on the record without oral argument. Over half of these cases (175) were handled as fast-tracks. In 1987, the proportion of cases decided without oral argument was 59.9 percent.

Including the 70 opinions with one or more dissents, the 656 formal opinions totaled 3,942 pages, an average of 6.0 pages per case or 657 pages per judge, counting the title page. The number of opinion-pages was up 449 pages from 1987. Opinions ranged in length from 2 to 27 pages on double-spaced, letter-size paper.

Of the 656 dispositions by formal opinion, 336 or 51.2 percent were appealed from eight counties: Polk (125), Linn and Scott (39), Black Hawk (33), Woodbury (29), Johnson (24), Pottawattamie (27) and Dubuque (20). During 1988, the court of appeals decided cases from 89 of the 99 counties in Iowa.

Iowa Appellate Courts -- Statistical Summary

There were 1,900 cases -- 1,454 civil and 446 criminal -- filed in the supreme court in 1988, up from 1,822 in 1987. The number of appellate case filings from 1977 to 1988 is graphically illustrated in Table 12. Since 1977, civil filings have soared 85.2 percent (785 to 1,454) while the number of criminal cases docketed remained exactly the same -- 446. In 1988, there were approximately 127 filings per appellate judge.

During 1988, the supreme court and the court of appeals disposed of 1,859 cases -- 1,462 civil (including 18 attorney disciplinary cases) and 397 criminal -- a 1.1 percent increase from the 1,859 cases disposed of in 1987. Forty-six percent of the civil (653/1,462) and 43 percent of the criminal dispositions (171/397) were by order rather than formal opinion.

There were 1,361 cases pending (963 civil and 398 criminal) at the end of the year -- an increase of 68 or 5.3 percent from the first of the year. The number of pending cases ready for disposition rose 6.3 percent (494 to 525) during 1988.

There were 1,015 dispositions by formal opinion -- 789 civil and 226 criminal. During 1988, the average case was decided 13 months after it was docketed in the supreme court clerk's office. In the average case the parties required 6.9 months to file the briefs, records, etc., and make the case ready for submission to the court; the elapse time from readiness to decision was 6.3 months. In 1987, the average time elapsed from notice of appeal to decision was 12.5 months.

The largest category of civil cases handled at the appellate level by formal opinion was domestic relations -- 273 of 771 civil cases (excluding disciplinary cases) or 35.4 percent. The number and types of other civil cases decided by formal opinion in the appellate courts were as follows: contracts, 127; torts, 116; and administrative law, 92.

The supreme court disbarred or revoked the licenses of nine attorneys, suspended the licenses of 26 lawyers, and reprimanded 15 attorneys. Eighteen in ten instances, attorney licenses were reinstated. In 1987, the number of attorneys disbarred, suspended and reprimanded were 4, 34, and 23, respectively.

TABLE 1

NUMBER OF CIVIL, CRIMINAL, AND DISCIPLINARY CASES[a]
TERMINATED BY FORMAL OPINION
SUPREME COURT OF IOWA, 1977-1988

YEAR	CIVIL[b]	CRIMINAL[c]	DISCIPLINARY[d]	TOTAL
1988	272	69	18	359
1987	224	91	25	340
1986	237	89	18	344
1985	245	46	13	304
1984	209	100	14	323
1983	301	149	5	455
1982	295	161	11	467
1981	208	171	4	383
1980	187	84	4	275
1979	202	81	7	290
1978	245	103	9	357
1977	252	118	4	374
TOTAL	2,877	1,262	132	4,271

a. Where two or more related cases were consolidated for purposes of decision-making and resolved by one court opinion, only one of the combined cases was counted in computing the total number of dispositions by opinion. In 1988, the 359 supreme court decisions involved 377 case filings.
b. The "civil" case category in this report includes appeals from final denials of postconviction relief and all certiorari cases.
c. "Criminal" means direct appeals from final judgment in criminal cases.
d. Includes only the bar disciplinary proceedings disposed of by written opinion and published in the North Western Reporter.

TABLE 2

FORMAL DISPOSITIONS BY THE SUPREME COURT OF IOWA
AS CLASSIFIED BY MODE OF REVIEW -- 1983-1988

MODE OF REVIEW	NUMBER OF FORMAL DISPOSITIONS					
	1983	1984	1985	1986	1987	1988
Appeal from Final Order (judgment) in District Court						
Civil Case	217	134	164	166	161	211
Criminal Case	131	86	33	79	77	60
Original Certiorari						
Civil Case	7	6	10	6	3	4
Criminal Case	2	3	3	2	3	1
Appeal from Interlocutory Ruling	29	26	29	22	9	6
Discretionary Review of Small Claim	4	-	1	-	-	1
Certified Question of Law	4	4	1	2	3	1
Appeal in Postconviction Relief Proceeding	17	16	15	9	9	14
Lawyer Disciplinary	5	14.	13a	18	25	18
Further Review	23	23	38	45	43	39
Miscellaneous	16	11	6	6	7	4
TOTAL DISPOSITIONS	455	313	303	344	340	359

a. Includes one judge disciplinary case.

TABLE 3

NUMBER AND TYPE OF CASES DISPOSED OF
BY SUPREME COURT OPINION, 1983-1988

CASE TYPE	1983	1984	1985	1986	1987	1988
CIVIL						
Administrative Law	56	31	56	56	46	52
Contracts	46	30	35	30	43	55
Contested child custody	16	7	7	10	7	8
Domestic relations not involving child custody	43	19	10	23	18	23
Postconviction relief	17	18	16	12	11	17
Property	11	17	18	12	19	21
Taxation	7	2	8	3	4	6
Tort	55	39	50	62	45	56
Trusts, estates, wills	10	10	6	2	12	5
Other	40	36	39	27	18	29
TOTAL CIVIL	301	209	245	237	223	272
CRIMINAL						
Guilty plea only	8	2	-	6	2	7
Sentencing only	30	10	10	12	18	19
Guilty plea and sentencing only	2	4	1	4	2	1
Other	109	84	35	67	70	42
TOTAL CRIMINAL	149	100	46	89	92	69
LAWYER DISCIPLINARY PROCEEDINGS	5	14.	13a	18	25	18
TOTAL	455	323	304	344	340	359

a. Includes one judge disciplinary case.

TABLE 4

NUMBER OF CIVIL AND CRIMINAL CASES: IN WORKa, READYb, ASSIGNEDc, AND OUT-TO-SUPREME COURT JUSTICESd
A COMPARISON OF CASELOADS
DECEMBER 31, 1986, 1987 AND 1988

	1986			1987			1988		
	CIVIL	CRIMINAL	TOTAL	CIVIL	CRIMINAL	TOTAL	CIVIL	CRIMINAL	TOTAL
IN WORK	553	221	774	559	240	799	555	281	836
READY	145	21	166e	174	34	208e	163	28	191e
ASSIGNED	20	8	28	35	4	39	23	4	27
OUT-TO-JUSTICES	27	4	31	28	7	35	24	10	34
TOTAL	745	254	999	796	285	1,081	765	323	1,088

a. In Work - All cases docketed which are not yet ready for submission.
b. Ready - All cases ready for submission.
c. Assigned - All cases which have been assigned to the justices and will be submitted or formally presented to the court within a month.
d. Out-to-Justices - All cases submitted to the court which have not been decided.
e. For purposes of this table, the 552, 618, and 728 cases transferred to the court of appeals in 1986, 1987, and 1988, respectively, were deducted from the number of ready cases pending before the supreme court.

TABLE 5

AVERAGE DELAY (IN MONTHS) FROM THE TIME A CASE IS READY FOR SUBMISSION TO OPINION SUPREME COURT OF IOWA, 1976-1988

YEAR	TYPE OF CASE			AVERAGE DELAY
	CIVIL	PRIORITY CIVIL	CRIMINAL	
1988	7.8	3.4	3.4	6.6
1987	6.8	3.7	3.9	5.8
1986	4.9	3.4	3.5	4.5
1985	6.1	4.0	3.8	5.6
1984	6.2	4.1	4.1	5.4
1983	6.8	3.8	3.7	5.5
1982	7.5	4.6	3.8	5.9
1981	5.9	4.7	4.9	5.2
1980	5.2	4.3	4.8	5.0
1979	5.4	4.0	4.4	5.0
1978	8.3	4.1	4.2	6.5
1977	17.0	4.3	4.5	12.2
1976	20.2	4.0	3.8	9.0

TABLE 6

DISPOSITION OF CASES AT THE SUPREME COURT LEVEL BY ORDER OR OTHER MODE PRIOR TO FORMAL SUBMISSION TO THE COURT - 1988

TYPE OF DISPOSITION	NUMBER OF DISPOSITIONS CIVIL	CRIMINAL	TOTAL
Voluntary dismissal or withdrawal of appeal or other review by appellant	305	47	352
Dismissal by the clerk pursuant to Rule 19, R. App. P., for failure to cure default within 15 days after notice	64	11	75
Dismissal by court for failure to comply with Rules of Appellate Procedure	1	-	1
Dismissal by court for lack of jurisdiction	3	-	3
Dismissal by court of frivolous criminal appeal pursuant to Rule 104, R. App. P.	-	44	44
Denial of petition for permission to appeal an interlocutory ruling	137	-	137
Denial of petition for writ of certiorari	22	4	26
Denial of petition for discretionary review	32	45	77
Cases transferred to the court of appeals by order of the supreme court	555	173	728
Consolidationsa	14	5	19
Other	82	15	95
TOTALS	1,215	344	1,559

a. For purposes of this table, cases were classified as consolidated at the time an order granting consolidation was filed.

TABLE 7

NUMBER OF CIVIL, CRIMINAL, AND DISCIPLINARY CASES DISPOSED OF BY OPINION OF THE SUPREME COURT EN BANC AND BY DIVISION, 1986-1988

	EN BANC			DIVISION			PERCENT EN BANC		
	1986	1987	1988	1986	1987	1988	1986	1987	1988
CIVIL	39	28	28	198	195	244	16.5%	12.6%	10.3%
CRIMINAL	11	9	4	78	83	65	12.4	9.8	5.8
DISCIPLINARY	7	3	4	11	22	14	38.9	12.0	22.2
TOTAL	57	40	36	287	300	323	16.6%	11.8%	10.0%

TABLE 8

NUMBER OF CIVIL AND CRIMINAL CASES TRANSFERRED TO, TERMINATED BY, AND PENDING BEFORE THE IOWA COURT OF APPEALS 1977-1988

	TRANSFERRED			TERMINATED			PENDING END OF YEAR		
	CIVIL	CRIMINAL	TOTAL	CIVIL	CRIMINAL	TOTAL	CIVIL	CRIMINAL	TOTAL
1988	555	173	728	512	157	669	198	75	273
1987	482	136	618	428	150	578	155	57	212
1986	392	160	552	440	156	596	99	71	170
1985	524	203	727	459	178	637	147	67	214
1984	412	157	569	397	135	532	80	41	121
1983	330	119	449	405	150	555	65	19	84
1982	397	134	531	307	116	423	140	50	190
1981	305	149	454	348	163	511	50	32	82
1980	344	116	460	303	94	397	93	46	139
1979	263	114	377	259	120	379	52	24	76
1978	245	125	370	267	117	384	48	30	78
1977	330	95	425a	260	73	333	70	22	92
TOTAL	4,579	1,681	6,260	4,385	1,609	5,994	1,197	534	1,731

a. Includes 69 cases - 56 civil and 13 criminal - transferred to the court of appeals in late 1976.

TABLE 9

NUMBER AND TYPE OF CASES DISPOSED OF BY OPINION
IOWA COURT OF APPEALS
1983-1988

CASE TYPE	1983	1984	1985	1986	1987	1988
CIVIL						
Administrative law	56	31	34	45	44	40
Contracts	54	58	74	61	60	70
Contested child custody	84	51	51	89	83	120
Domestic relations not involving child custody	87	102	106	93	96	122
Postconviction relief	29	27	35	31	27	22
Property	28	37	44	33	25	23
Taxation	3	9	8	4	4	4
Tort	28	41	37	42	50	60
Trusts, estates, wills	16	3	23	17	18	12
Other	14	36	38	20	15	24
TOTAL CIVIL	399	395	450	435	422	499
CRIMINAL						
Guilty plea only	4	4	4	2	8	5
Sentencing only	6	21	20	6	3	9
Guilty plea and sentencing only	4	2	2	1	4	2
Other	135	106	152	145	133	141
TOTAL CRIMINAL	149	133	178	154	148	157
TOTAL	548	528	628	589	570	656

TABLE 10

APPLICATIONS TO THE SUPREME COURT FOR FURTHER REVIEW
OF A COURT OF APPEALS DECISION
1977-1988

YEAR	APPLICATIONS GRANTED			APPLICATIONS DENIED			PERCENT GRANTED
	CIVIL	CRIMINAL	TOTAL	CIVIL	CRIMINAL	TOTAL	
1988	40	13	53	167	94	261	16.9%
1987	25	12	37	127	64	191	16.2
1986	48	12	60	132	89	221	21.4
1985	33	10	43	173	90	263	14.1
1984	33	11	44	135	62	197	18.3
1983	16	7	23	114	60	174	11.7
1982	12	7	19	125	48	173	9.9
1981	11	5	16	88	31	119	11.9
1980	11	2	13	106	38	144	8.3
1979	6	6	12	78	54	132	8.3
1978	17	4	21	78	38	116	15.3
1977	6	4	10	54	16	70	12.5
TOTAL	258	93	351	1,377	684	2,061	14.6%

TABLE 11

AVERAGE DELAY (IN MONTHS) FROM THE TIME
A CASE IS READY FOR SUBMISSION TO OPINION
IOWA COURT OF APPEALS
1977-1988

YEAR	TYPE OF CASE			AVERAGE DELAY
	CIVIL	PRIORITY CIVIL	CRIMINAL	
1988	6.5	4.8	5.4	5.8
1987	6.4	5.0	5.1	5.8
1986	5.5	4.4	4.5	5.0
1985	5.8	4.8	4.7	5.2
1984	5.1	4.4	4.3	4.8
1983	6.3	5.0	5.2	5.7
1982	6.9	5.2	5.3	6.2
1981	5.8	5.0	5.0	5.5
1980	4.8	4.8	4.8	4.8
1979	5.2	4.2	4.6	4.9
1978	3.7	4.0	4.1	5.8
1977	16.1	4.6	4.6	12.5

TABLE 12

NUMBER OF CIVIL AND CRIMINAL CASES FILED
AT THE APPELLATE COURT LEVEL
1977-1988

YEAR	CIVILa	CRIMINAL	TOTAL
1988	1,454	446	1,900
1987	1,337	485	1,822
1986	1,415	465	1,880
1985	1,362	539	1,901
1984	1,297	587	1,884
1983	1,290	491	1,781
1982	1,253	596	1,849
1981	1,175	558	1,733
1980	1,081	539	1,620
1979	1,014	493	1,507
1978	1,003	487	1,490
1977	785	446	1,231
TOTAL	14,466	6,132	20,598
11-Year Increase in Percent	85.2%	-0-	53.5%

a. Includes attorney disciplinary cases.

II. TRIAL COURT

THE IOWA DISTRICT COURT

The unified trial court, known as the "Iowa District Court," became operative July 1, 1973. The district court has general and original jurisdiction of all actions and proceedings, including probate and juvenile matters. Its jurisdiction is exercised by senior judges, district judges, district associate judges, alternate district associate judges, and magistrates. The salary and travel expenses of all judges and magistrates are funded by the state.

The Unified Trial Court Act requires the clerks of the district court to furnish each magistrate, associate judge, or district judge acting as a magistrate, a docket in which to enter all proceedings within their jurisdiction, except those required to be docketed with the clerks and assigned to judicial officers for disposition. The chief judge of a judicial district is authorized to order criminal proceedings combined in a centralized docket.

Magistrates

The Unified Trial Court Act created and allotted 191 part-time magistrate positions to the 99 counties in the state, ranging from one to six per county. The original allotment remained in effect until June 30, 1975. Since that date, the state court administrator has apportioned magistrates among the counties.

A magistrate appointing commission selects the magistrates to fill positions allotted to the county. The person appointed must be an elector of the county and less than 72 years of age. In 1989, the magistrates' term of office was increased from two to four years. Although a license to practice law is not required, the commission must first consider licensed attorneys. In counties allotted only one such position, the appointing commission is authorized to appoint an additional magistrate and divide the statutory salary. (Adair, Ida, and Monona Counties exercised this option in 1988.) The apportionment made in 1987 and reaffirmed in 1989 appears in **Appendix E.**

As amended, the Unified Trial Court Act authorizes any county or combination of counties with an allotment of three or more magistrate positions to appoint a district associate judge to substitute for three part-time magistrates. The substitution may not occur if it results in the lack of either a resident district associate judge or a magistrate in one or more of the

counties. The substitution is made by order of the chief judge of the judicial district on the affirmative vote of a majority of the district judges in the judicial election district in which the county is located. District associate judges serving in lieu of magistrates are nominated, appointed, and retained in the same manner as regular district associate judges. As they also have the same qualifications, rights, salary, duties, responsibilities, authority, and jurisdiction as regular district associate judges, their work load is totally integrated in this report.

Jurisdiction

Magistrates have jurisdiction of the following:

1. Preliminary hearing cases. [Cases in which they act as committing magistrates on felonies and indictable misdemeanors.] (R.CR.P. 2(4)(a), The Code.)

2. Nonindictable or simple misdemeanors, including traffic and ordinance violations. [A simple misdemeanor is a criminal offense in which the punishment does not exceed a fine of $100 or imprisonment for 30 days.]

3. County and city infractions.

4. Search warrant proceedings.

5. Emergency hospitalization proceedings. (Section 229.22, The Code.)

6. Lost property actions. [These include issuing a warrant directing a peace officer to appoint appraisers to fix the value of vessels, rafts, logs and lumber which have been stopped or taken up and determining the ownership of other lost property.] (Chapter 644.)

The above proceedings are all required to be entered in the docket furnished to them by the clerk or in the centralized docket for the county, if one is ordered to be maintained by the chief judge of the judicial district.

7. Small claims. [A small claim included: (1) a civil action for a money judgment where the amount in controversy is $2,000 or less, exclusive of interest and costs, (2) actions for forcible entry and detainer where no question of title to the property is involved, and (3) an action of replevin where the value of the property claimed is $2,000 or less.]

The clerk of the district court is required to maintain the docket for small claims actions. If the action is one for money judgment and it is not disposed of by the clerk through entry of a confession of judgment, default judgment or a voluntary dismissal, it must be assigned to a judicial officer having jurisdiction of such actions. This is done by delivering the original notice first filed with the clerk to the officer. If it is an action for forcible entry and detainer, the appearance is required before the judicial officer who must handle the entire proceeding, including an order for the issuance of a writ of eviction is the plaintiff prevails. Again, the assignment is perfected by the clerk delivering the original notice first filed and all papers in the case to the judicial officer.

The record of all actions taken by the judicial officer in either type of small claims proceeding, including noted of testimony and judgment entry, is made on the original notice to which exhibits, if any, are attached and returned to the clerk. It serves as a calendar sheet from which the clerk makes proper entries in the small claims docket and on the lien index. Small claims actions are not entered in the docket furnished to judicial officers by the clerk or in the centralized docket used for criminal proceedings.

District Associate Judges

The original act provided for 30 magistrates required to devote full time to their position. One to four positions were authorized to counties in four population categories ranging from 35,000 to over 200,000. The 25 municipal court judges holding office June 30, 1973, became district associate judges and satisfied the requirement of a regular full-time magistrate in the county of their residence. Upon the death, resignation, retirement, removal or nonretention of a district associate judge, a full-time magistrate was appointed to fill the vacancy.

Effective January 1, 1981, full-time magistrates were renamed district associate judges. District associate judges serve four-year terms and stand for retention in office in their judicial election district the same as district judges.

In counties having only one district associate judge, the county magistrate appointing commission is authorized to appoint an alternate district associate judge to act in the temporary absence of a district associate judge. Such alternate is paid on a per diem basis by the state for days of actual service rendered. In 1988, an alternate district associate judge served in Dickinson, Jasper, Marshall, Marion, and Warren Counties.

The number of district associate judges by judicial election district and county is illustrated below.

Judicial Election District	County	District Associate Judges
1A	Dubuque	2
1B	Black Hawk	3
2A	Cerro Gordo	1
2B	Boone-Hamilton	1
2B	Marshall	1
2B	Webster	1
2B	Story	2
3A	Dickinson	1
3B	Woodbury	3
4	Pottawattamie	3
5A	Jasper	1
5A	Marion-Jasper	1
5A	Warren	1
5C	Polk	6
6	Johnson	1
6	Linn	4
7	Clinton	1
7	Muscatine	1
7	Scott	3
8A	Wapello	1
8B	Des Moines	2
8B	Lee	2
	TOTAL	42

Jurisdiction

District associate judges have the same jurisdiction as judicial magistrates. In addition, they have jurisdiction of:

1. Civil actions for money judgments where the amount in controversy does not exceed $5,000;

2. Indictable (serious and aggravated) misdemeanors;

3. Felony violations of section 321.281 (operating while intoxicated -- OWI); and

4. Juvenile cases when designated as a judge of the juvenile court by the chief judge of the judicial district.

While exercising such additional jurisdiction, they are not only required to employ district judges' practice and procedure but, as the cases are docketed with the clerk of the district court, they must be assigned and delivered to the judge with a calendar sheet on which to report the disposition of the case.

Trial by Jury and Appeal Provisions

A defendant charged with a nonindictable or simple misdemeanor is entitled to a trial by a six-member jury if he or she files a written jury demand at least ten days before the time set for trial. Failure to make such demand constitutes a waiver of jury. The plaintiff may appeal only upon a finding of invalidity of an ordinance or statute and the defendant only upon a judgment of conviction. All simple misdemeanor appeal from a decision of a magistrate shall be on the record. Either party may appeal from the judgment of the district judge to the supreme court in the same manner as from a judgment in a prosecution by indictment.

A small claims action is tried before the judicial officer to whom it is assigned without the right to a jury. Either party may appeal to a district court judge who is required to hear the matter on the record. If it appears the trial record is incomplete, the district court judge may take additional testimony and evidence. The right of either party to appeal from the judgment of the district judge is entirely within the discretionary power of the supreme court.

District Court Judges

In January 1988, there were 100 district judges in Iowa. Under the judgeship formula computed in 1988, 105 judgeships were authorized; 104 judgeships were authorized in the 1989 computation. Since the provisions of Iowa Code section 602.18 limit the maximum number of judgeships to 100, the vacancies cannot be filled. The latest applications of the formula appear at pages 37 and 38 of this report.

For purposes of administration and ordinary judicial functions, the state is divided into eight judicial districts (Appendix D). The state is further divided into 14 judicial election districts for purposes stated in the footnote to the map appearing on page 35. With 100 judges serving in the eight judicial districts in 1988, the population spread per judge ranged from 24,955 in the 5th District to 32,333 in the 4th. (Appendix C)

Jurisdiction

District judges possess the full jurisdiction of the trial court, including the jurisdiction of magistrates. While

exercising the latter, they are required to employ the practice and procedure for magistrates. Under the Iowa Probate Code they are the only judges sitting in probate.

Senior Judges

Effective July 1, 1979, the Sixty-eighth General Assembly established a senior judge program whereby retired supreme court justices, court of appeals judges, district court judges, and district associate judges who qualify agree to work up to 13 weeks per year until age 78. The supreme court may not assign a senior judge judicial duties on a court superior to the highest court to which he or she was appointed prior to retirement. A senior judge may not be assigned to the court of appeals or the supreme court except to serve in the temporary absence of a member of that court. A senior judge may not practice law.

While serving on temporary assignment, a senior judge is paid no salary but continues to receive monthly judicial retirement annuities. The senior judge program provides a hedge against inflation by mandating an increase in judicial annuity whenever the current salary of active judges is raised. There is no provision for an increase in judicial annuity for judges who do not participate in the senior judge program.

During 1988, one supreme court justice -- W. Ward Reynoldson -- 16 district judges -- John N. Hughes, Paul E. Hellwege, Robert O. Frederick, Dale Missildine, R. K. Stohr, Charles W. Antes, Luther T. Glanton, Jr., Dennis D. Damsgaard, Ansel J. Chapman, T. H. Nelson, M. C. Herrick, L. John Degnan, B. C. Sullivan, Forest E. Eastman, Murray S. Underwood, and Harold J. Swailes -- and two district associate judges -- Don A. Petrucelli and Phillip T. Steffen -- served as senior judges in Iowa. During 1988, Judges Hughes and Nelson retired as senior judges; Judge Sullivan died and Judge Steffen commenced his duties as a senior judge. In this report, the work of these judges is combined with the caseload of the judicial officers with whom they worked.

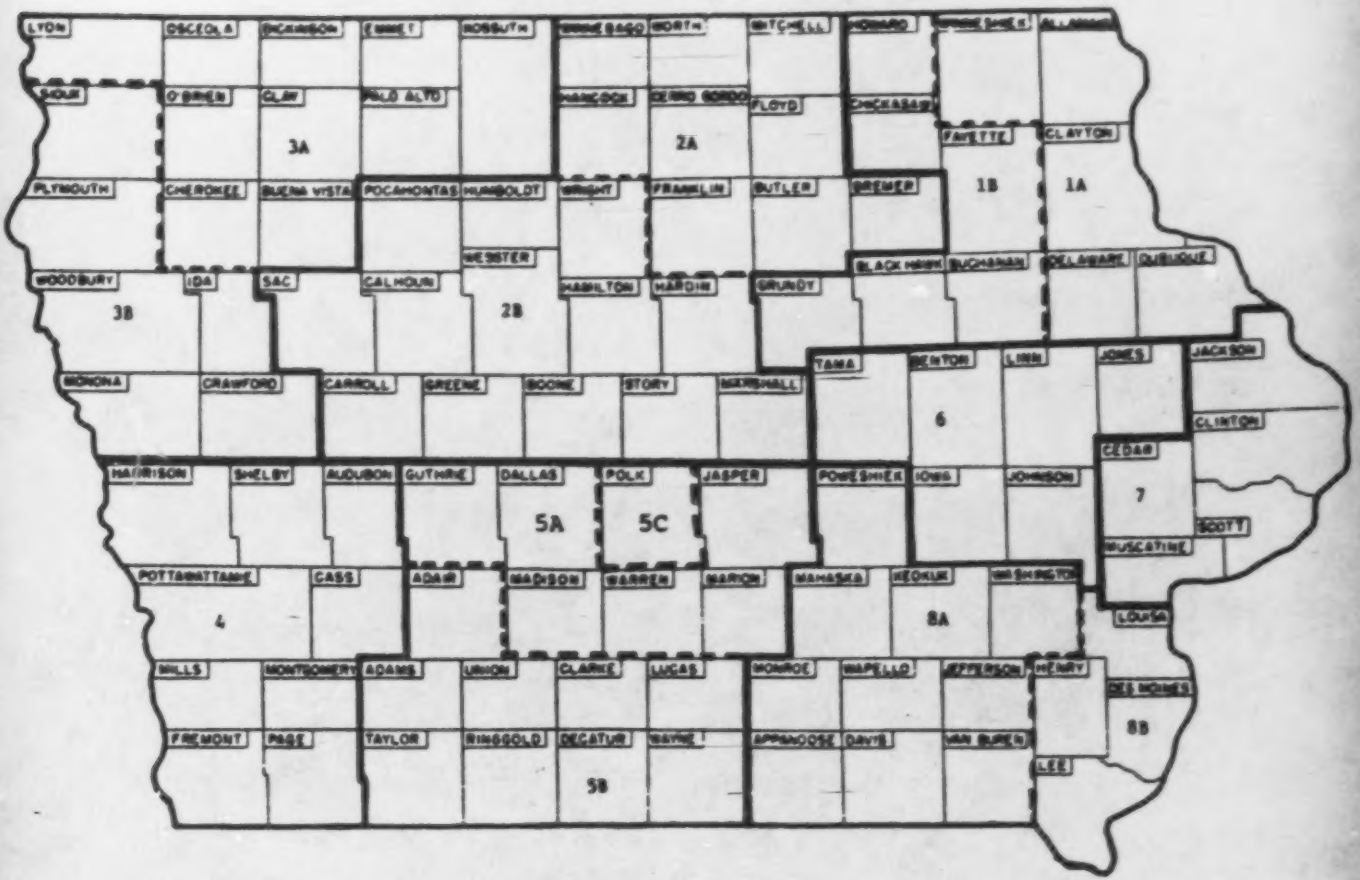
Clerks of District Court

The clerk's office in the 99 counties performed two important functions during 1988 which reduced the work load of the judicial officers in each county. These were:

1. Kept the small claims docket and through the entry of confessions of judgment, default judgments, and voluntary dismissals in actions for money judgment, avoided the necessity of assigning many such cases to judicial officers. [Tables 12(d), 14(e) and 15]

2. Maintained a traffic and scheduled violations office where violations issued on a uniform citation and complaint could be admitted and disposed of upon payment of the minimum fine, surcharge, and costs. [Table 16]

IOWA'S 8 JUDICIAL DISTRICTS AND 14 JUDICIAL ELECTION DISTRICTS*



*Judicial election districts are established for the purpose of nomination, appointment, and election of district judges, application of the judgeship formula, and appointment and election of district associate judges.

Judgeship Formula

The judgeship formula gives equal weight to population and filings. The formula authorizes one judge for every 550 combined civil and criminal filings (3-year average) in judicial election districts having a city of 50,000 or more population and one judge for every 450 such filings in districts not having a city that large. The population factor allows one judge for every 40,000 residents. There is a statutory cap of 100 on the number of district judges authorized, irrespective of the application of the formula.

Application of the judgeship formula for 1988 and 1989, respectively, is illustrated by the tables that follow.

NUMBER OF DISTRICT JUDGES AUTHORIZED BY THE JUDGESHIP FORMULA BASED EQUALLY ON A THREE-YEAR AVERAGE OF COMBINED CIVIL AND CRIMINAL FILINGS AND POPULATION

JUDICIAL ELECTION DISTRICT	FILINGS	POPULATION	FORMULA JUDGESHIPS(c)	RESIDENT JUDGES
1A(a)	2,708 (4.92)	168,000 (4.20)	5	4
1B(a)	5,668 (10.31)	211,600 (5.29)	8	8
2A	3,785 (8.41)	166,700 (4.17)	6	6
2B	7,293 (16.21)	315,600 (7.89)	12	11
3A	3,403 (7.56)	149,500 (3.74)	6	5
3B(a)	5,554 (10.10)	191,200 (4.78)	7	6
4(a)	4,766 (8.67)	194,800 (4.87)	7	6
5A	3,446 (7.66)	155,000 (3.88)	6	5
5B	1,942 (4.32)	75,500 (1.89)	3	4
5C(a)(b)	9,236 (16.79)	315,800 (7.90)	13	13
6(a)	8,199 (14.91)	330,600 (8.27)	12	11
7(a)	7,355 (13 37)	292,400 (7.31)	10	10
8A	3,589 (7.98)	167,600 (4.19)	6	6
8B	2,531 (5.62)	116,500 (2.91)	4	5
STATE TOTALS	67,870	2,834,600	105*	100

(a) District with a city of 50,000 or more population.
(b) One additional judgeship for seat of government.
(c) In judicial election districts containing a city of 50,000 or more population (i.e., 1A, 1B, 3B, 4, 5C, 6 and 7), there shall be one judgeship per 550 combined civil and criminal filings, with exclusions listed in Iowa Code section 602.6201(3), and 40,000 population, giving equal weight to each quotient. All other districts are entitled to one judgeship per 450 filings or 40,000 population. The filing and population quotients are added together, divided by two (averaged), and rounded to the nearest hundredth.

*Although the 1988 application of the judgeship formula created five (5) vacancies, the provisions of Iowa Code section 602.6201, subsection 10, limit the maximum number of district judges to one hundred (100) and, consequently, prohibit the vacancies from being filled.

Prepared by: State Court Administrator, Statehouse, Des Moines, Iowa, 50319, February 22, 1988

NUMBER OF DISTRICT JUDGES AUTHORIZED BY THE JUDGESHIP FORMULA
BASED EQUALLY ON A THREE-YEAR AVERAGE OF COMBINED CIVIL AND CRIMINAL
FILINGS AND POPULATION

JUDICIAL ELECTION DISTRICT	FILINGS	POPULATION	FORMULA JUDGESHIPS(c)	RESIDENT JUDGES
1A(a)	2,748	166,400	5	4
	(5.00)	(4.16)		
1B(a)	5,194	208,700	7	8
	(9.44)	(5.22)		
2A	3,566	164,700	6	6
	(7.92)	(4.12)		
2B	6,822	311,500	11	11
	(15.16)	(7.79)		
3A	3,386	147,000	6	5
	(7.52)	(3.68)		
3B(a)	5,542	189,500	7	6
	(10.08)	(4.74)		
4(a)	4,511	194,000	7	6
	(8.20)	(4.85)		
5A	3,373	155,500	6	5
	(7.50)	(3.89)		
5B	1,805	74,200	3	4
	(4.01)	(1.86)		
5C(a)(b)	9,485	319,300	14	13
	(17.25)	(7.98)		
6(a)	8,309	331,700	12	11
	(15.11)	(8.29)		
7(a)	7,166	290,200	10	10
	(13.03)	(7.26)		
8A	3,391	166,000	6	6
	(7.54)	(4.15)		
8B	2,572	115,900	4	5
	(5.72)	(2.90)		
STATE TOTALS	67,870	2,834,600	104*	100

(a) District with a city of 50,000 or more population.
(b) One additional judgeship for seat of government.
(c) In judicial election districts containing a city of 50,000 or more population (i.e., 1A, 1B, 3B, 4, 5C, 6 and 7), there shall be one judgeship per 550 combined civil and criminal filings, with exclusions listed in Iowa Code section 602.6201(3), and 40,000 population, giving equal weight to each quotient. All other districts are entitled to one judgeship per 450 filings or 40,000 population. The filing and population quotients are added together, divided by two (averaged), and rounded to the nearest hundredth.

*Although the 1989 application of the judgeship formula created four (4) vacancies, the provisions of Iowa Code section 602.6201, subsection 10, limit the maximum number of district judges to one hundred (100) and, consequently, prohibit the vacancies from being filled.

Prepared by: State Court Administrator, Statehouse, Des Moines, Iowa, 50319, February 27, 1989

ANALYSIS OF STATISTICS

Regular Civil and Criminal Cases

For the purpose of the following discussion, regular civil cases include all law, equity, and special proceedings docketed in the office of the clerk except in the small claims docket. An appeal from a decision of a judicial magistrate in a small claims action also is considered a regular civil case.

Regular criminal cases include all felony and indictable misdemeanors (serious and aggravated). A felony is a public offense which is, or in the discretion of the court may be, punished by imprisonment in the state penitentiary, men's reformatory or women's reformatory. An indictable misdemeanor is a public offense, less than a felony, in which the punishment exceeds a fine of $100 or imprisonment for more than 30 days in the county jail. An appeal from a decision or verdict in a nonindictable or simple misdemeanor case becomes a regular criminal case when docketed by the clerk as a regular criminal action.

A total of 98,136 regular civil and criminal cases were docketed in the clerks' offices during 1988. This was a 3.5 percent increase from the 94,812 civil and criminal cases docketed in 1987. A comparison of cases docketed for 1987 and 1988 reveals that while civil filings declined 2.5 percent (49,697 to 48,432), criminal filings jumped 10.2 percent (45,115 to 49,704).

A number of regular civil cases and indictable misdemeanors filed in district court were assigned to district associate judges for disposition. The total number of regular civil and indictable criminal dispositions by district and district associate judges in 1988 was 103,549 -- an increase of 5.4 percent from the 98,235 cases disposed of in 1987. There were 5,413 fewer cases pending December 31, 1988, than on January 1 of that year; the number of pending cases decreased in all but the 6th District. **[Tables 1, 2(a) and 3(a)]**

District Judges' Activities

During 1988, district court judges disposed of 55,309 regular civil cases: 571 or 1.0 percent by trial to jury, 5,212 or 9.4 percent by trial to court, and 49,526 or 89.5 percent without trial. The number of civil dispositions per judge ranged from 465 in the 2nd District to 681 in the 7th. Statewide, there were 553 civil dispositions per district court judge, up from 544 in 1987. **[Tables 2(a), (b) and (d)]**

During 1988, district judges disposed of 17,326 regular criminal cases: 437 or 2.5 percent by trial to jury, 769 or 4.5 percent by trial to court, and 16,120 or 93.0 percent without

trial. The number of criminal dispositions per judge ranged from 106 in the 8th District to 348 in the 3rd. Statewide, there were 173 criminal dispositions per district court judge. [Tables 3(a), (b) and (d)]

The average number of civil and criminal cases disposed of per judge, with the rank of each district, is shown on Table 4. The 3rd District recorded the highest number of civil/criminal dispositions per judge (893) while the 8th District had the lowest number of dispositions per judge (573).

District Associate Judges' Activities

There 713 regular civil cases assigned to district associate judges during 1988 -- a 4.9 percent increase from 680 cases assigned in 1987. During 1988, the judges of limited jurisdiction disposed of 809 regular civil cases, seven or 0.9 percent by jury trial, 123 or 15.2 percent by trial to court, and 679 or 83.9 percent without trial. On a per judge basis, dispositions ranged from 0 in the 4th District to 64 in the 7th. [Tables 2(a), (c) and (d)]

During 1988, 31,719 regular criminal cases (indictable misdemeanors and simple misdemeanors on appeal) were assigned to district associate judges as compared to 27,635 assigned to such judicial officers in 1987. Of the 29,637 criminal cases disposed of by district associate judges in 1988, 283 or 1.0 percent were resolved by trial to jury, 534 or 1.8 percent by trial to court, and 28,820 or 97.2 percent without trial. On a per judge basis, dispositions ranged from 492 in the 8th District to 1,008 in the 1st. [Tables 3(a), (c) and (d)]

Civil and Criminal Filings by Case Type

Dissolution filings (and modifications) represented 36.6 percent (17,705) of the 48,432 civil cases docketed in the district court in 1988. [Table 5] These cases, combined with other actions involving domestic relations such as child support recovery (5,427) and domestic abuse (276), accounted for nearly one half (48.3 percent) of all civil cases filed in the district court.

Table 5 also shows that 703 (2.4 percent) of the 29,019 small claims rulings by judicial officers of limited jurisdiction were appealed on the record to the district court, pursuant to Iowa Code section 631.13. Such appeals comprised 1.5 percent of the civil case filings.

In the criminal area, the 16,334 first and second offense drunken driver cases (OWI--operating while intoxicated) represented 40.3 percent of the indictable misdemeanor filings and 32.9 percent of all the regular criminal cases, i.e., felonies, indictable misdemeanors (serious and aggravated), and simple misdemeanors on appeal. [Table 6]

The 8,666 felony filings represented 17.4 percent of the 49,704 criminal cases docketed. Only 0.2 of one percent (469) of the 235,372 simple misdemeanors handled by district associate judges and magistrates were appealed to the district court for a new trial, pursuant to rule 54, Rules of Criminal Procedure. Such appeals comprised 0.9 percent of the criminal filings.

Pending Regular Civil and Criminal Cases

Of the 35,089 regular civil cases pending at the end of the year, 6,611 or 18.8 percent were over 18 months old. During 1988, the number of civil cases pending over 18 months decreased by 3,355 or 33.7 percent. [Appendix A] The proportion of pending civil cases over 18 months old ranged from 11 percent in the 5th District to 28 percent in the 3rd. In each of the eight districts there were fewer civil cases pending at the end of the year than at the beginning. Statewide, the number of civil cases pending decreased 27.6 percent (48,432 to 35,089).

There were 2,741 more criminal cases pending on December 31, 1988, than on January 1. Of the 22,218 regular criminal cases pending at the end of 1988, 18 percent (4,058) were over 18 months old and 38 percent (8,314) had been pending 3 to 18 months. [Appendix B] The 3rd District had the highest percentage of cases pending over 90 days (70 percent); the 4th District had the lowest percentage of criminal cases over 90 days old (40 percent).

Probate Matters

The district judges exercise the probate jurisdiction of the unified trial court. There were 790 trusteeships opened in 1988 -- down 5.7 percent from the previous year. [Table 7(a)] The number of trusteeships opened ranged from 37 in the 4th District to 166 in the 2nd. During 1988, 3,759 guardianships and conservatorships were opened -- up 1.4 percent from 1987; the number of cases ranged from 284 in the 4th to 764 in the 5th. Some 21,072 decedent estates were opened in 1988 -- an increase of 1,206 or 6.1 percent. The number of estates opened varied from 1,739 in the 7th District to 3,887 in the 2nd. Statewide, there were 14 jury trials and 292 trials to court in contested probate matters. [Table 7(a)]

Of the 19,117 estates closed during 1988, 60 percent were closed within one year, 30 percent from 1-3 years, and 10 percent after three years. In 1988, 69 percent of the estates were settled within one year in the 8th District. [Table 7(b)] The number of decedents' estates closed during 1988 was 1,955 less than the number of new estates opened. [Tables 7(a) and (b)]

Juvenile Matters

Juvenile matters are heard by district judges, juvenile referees, and district associate judges designated by the chief judge of the judicial district to act as judges of the juvenile court. There were 6,745 juvenile petitions filed in the district court clerks' offices during 1988 -- 681 more petitions than in 1987. [Table 8(a)] Juvenile petitions were classified into four general categories: delinquency (3,729), child in need of assistance or CHINA (2,933), family in need of assistance or FINA (18), and interstate compacts or extradition (65). Over 44 percent of the FINA petitions were filed in the 2nd District.

The number and type of formal hearings in juvenile matters are illustrated in Table 8(b). Figures show there were 4,001 adjudication hearings, 5,740 disposition hearings, 7,629 review hearings, 1,560 shelter/detention hearings, and 4,803 other hearings, for a grand total of 23,733 -- up 1,915 from 1987. Thirty-nine percent of the juvenile hearings were handled by district associate judges, 56 percent were conducted by referees, and 5 percent by district judges.

Termination of Parental Rights

For statistical purposes, termination of parental rights cases were separated from regular juvenile matters involving delinquent children and minors or families in need of assistance. As indicated in Table 9, there were 875 petitions for termination of parental rights filed in the district court during 1988 -- a decrease of 26 cases from 1987. Twenty-nine percent (256) involved involuntary or contested proceedings. The largest number of termination cases (198) was docketed in the 5th District; the fewest petitions (47) were filed in the 7th District. There were 1,086 formal hearings held on these matters -- up 34 or 3.2 percent from 1987.

Hospitalization Hearings

Table 10 shows the number and type of hospitalization hearings. There were 5,799 hospitalization hearings in Iowa during 1988 -- 267 involuntary minor, 2,488 involuntary adult, 1,569 emergency, and 1,475 substance abuse. Eighty-two percent of the hearings were held by judicial hospitalization referees.

General Activities of District Associate Judge

Other than regular civil and criminal cases, termination of parental rights, and juvenile matters discussed above, a total of 174,277 cases were docketed or assigned and 171,307 cases were disposed of by the 42 associate judges during 1988. There were 56,811 cases pending at the end of the year. The number of cases docketed and assigned ranged from 5,668 in the 4th District to 65,947 in the 5th. The total number of simple misdemeanor and small claims cases pending at the end of the year varied from 877 in the 2nd District to 41,958 in the 5th. The number of each type of case filed, terminated, and pending during 1988, appears in Tables 12(a) through 12(d).

As committing magistrates for indictable offenses, district associate judges conducted 20,732 initial appearance proceedings and 252 preliminary hearings in indictable criminal cases, pursuant to rule 2, Rules of Criminal Procedure. [Table 12(a)] Nearly two-thirds of the initial appearances were held in the 5th, 6th, and 7th Districts; over 72 percent of the preliminary hearings by associate judges occurred in the 2nd District.

There were 12,407 nonindictable state cases (simple misdemeanors) carried over from 1987. During 1988, 56,277 were docketed as compared to 51,129 in 1987. Of the 55,510 state cases terminated during 1988, the judges disposed of 64 or 0.1 percent by trial to jury, 2,217 or 4.0 percent by trial to court and 53,229 or 95.9 percent without trial. The number of simple misdemeanor state cases pending at the end of 1988 (13,174) was 767 more than the number pending at the beginning of the year. During 1988, the associate judges of the 5th District had by far the largest number of nonindictable state cases docketed, terminated, and pending. [Table 12(b)]

Some 41,053 simple misdemeanor ordinance cases were pending from 1987. During 1988, 49,866 were docketed and 47,698 were disposed of: 33 or less than 0.1 percent by trial to jury, 2,068 or 4.3 percent by trial to court, and 45,597 or 95.6 percent without trial. The number of pending cases increased 5.3 percent from 41,053 to 43,221. [Table 12(c)]

During 1988, district associate judges entertained 442 search warrant applications and conducted 257 seized property

hearings. Three-fourths of the applications for search warrants handled by district associate judges occurred in the 2nd, 5th, 6th, and 7th Districts; over half of the seized property hearings occurred in the 1st District. [Table 14(d)]

There were 17,827 small claims assigned and 17,792 cases terminated by associate judges during 1988. [Table 12(d)] The judges resolved 5,987 or 33.7 percent by trial to the court and 11,805 or 66.3 percent without trial. Of those disposed of without trial, 10,931 or 92.6 percent were defaulted and 874 or 7.4 percent were either dismissed or transferred. Over half of the small claims cases handled by such judges were assigned and disposed of in the 5th District.

District associate judges also disposed of 159 civil infractions in 1988. [Table 12(d)]

Magistrates

In 1988, 166,475 cases were docketed or assigned to 158 magistrates; they disposed of 163,999 or 1,038 cases per magistrate. [Table 13] The number of dispositions per magistrate ranged from 864 (4th District) to 2,005 (6th District). Over one-fourth of the cases pending at the end of the year were in the 1st District. [Note: Judicial districts vary in population from 194,000 (4th) to 549,000 (5th) and in the number of magistrates from 13 (7th) to 32 (2nd).]

As shown in Table 14(a), there were 19,342 initial appearances and 521 preliminary hearings conducted by magistrates in indictable criminal cases. While the largest number of such actions was in the 2nd District, magistrates in the 4th District had the fewest number of initial appearances and magistrates in the 6th District had the smallest number of preliminary hearings.

There were 94,290 nonindictable state cases (simple misdemeanors) docketed before magistrates in 1988. [Table 14(b)] The magistrates disposed of 92,501 cases -- 145 or 0.2 percent by trial to jury, 7,753 or 8.4 percent by trial to court, and 84,603 or 91.4 percent without trial. The 6th District had the most jury trials (36) while the 3rd District reported the least (8). There were 17,040 nonindictable state cases docketed in the 2nd District; only 8,022 were docketed in the 5th District.

Statistics on nonindictable ordinance cases disclose that 40,243 cases were docketed, 39,663 were disposed, and 6,137 were still pending on December 31, 1988. Ninety-three percent of the

ordinance cases were disposed of without a contested trial to a judge or jury. The 24 magistrates in the 1st District handled 13,280 ordinance cases or one-third of the state total. [Table 14(c)]

Overall, magistrates terminated 132,164 simple misdemeanors in 1988 compared 134,596 in 1987.

Magistrates entertained 626 applications for search warrants, conducted 100 seized property hearings and handled 19 lost property actions during 1988. [Table 14(d)] There were 771 search warrant applications and 98 seized property hearings before magistrates in 1987.

Statewide, for all judicial officers, the number of search warrant applications decreased 8.5 percent (1,373 to 1,256); the number of seized property hearings rose 32.5 percent (354 to 469) since 1987. Magistrates in the 2nd and 8th Districts received the largest number of search warrant applications; those in the 8th District conducted the most seized property hearings. Considering the work of all judicial officers on these matters, the highest volume of applications for search warrants was in the 2nd District; the 1st District had the highest number of seized property hearings.

As shown in Table 14(e), magistrates disposed of 11,227 small claims cases in 1988. Sixty-two percent (7,009) of the small claims were tried before the court; the remaining 4,218 cases (3,220 defaults and 998 dismissals or transfers) were disposed of without a trial. The 2nd District had the largest number of small claims assigned to magistrates tried to court (1,507); the 7th District the highest number of cases pending (776) before magistrates at the end of the year.

Magistrates also handled 230 civil infractions and accepted 309 first offense OWI guilty pleas. [Tables 3(a) and 14(e)]

District Court Clerks

The 99 clerks of the district court played an important role not only in record keeping but in the handling of small claims (dismissals and defaults) and scheduled violations. As noted above, under the Unified Trial Court Act, district court clerks are authorized to docket and assign small claims and enter dismissals and defaults. Cases involving forcible entry and detainer must be handled by a judge.

District court clerks also are responsible for handling scheduled violations in which the defendant mails in or delivers his or her admission, scheduled fine, surcharge, and court cost to the clerk's scheduled violations office before the time

specified on the citation and complaint for court appearance. In addition, clerks are the custodians of collection boxes used at weigh stations for the deposit of fines and costs in cases involving weight and other non-moving scheduled violations of commercial carriers.

Table 15 shows that more small claims were disposed of by clerks (36,462) than judges (29,019). While clerks in the 3rd District took care of over three-fourths of the small claims terminated in their district, in the 5th District they handled only 39.3 percent of the small claims dispositions. Overall, 55.7 percent of the small claims were disposed of by district court clerks.

As noted in Table 16, the district court clerks disposed of 462,365 scheduled violations without the attention or assistance of any judicial officer -- 2,019 less than the number processed by clerks in 1987. On the average, a district court clerk disposed of 4,670 scheduled violations in 1988. The number of scheduled violations ranged from 216 in Ringgold County to 85,610 in Polk County.

Summary of Trial Court Statistics

There were 48,432 regular civil cases (over $2,000 and small claims on appeal) and 49,704 regular criminal cases (indictable misdemeanors, felonies, and simple misdemeanors on appeal) filed in the district court during 1988. This represented a 2.5 percent decrease in civil filings and 10.2 percent increase in criminal filings since 1987. [Appendix F]

There was a total of 103,549 civil/criminal dispositions in 1988. The number of civil cases terminated rose by 1,622 or 3.0 percent (54,964 to 56,586); the number of criminal dispositions jumped 8.4 percent (43,321 to 46,963) from 1987 figures. [Tables 5 and 6] There were 578 jury trials and 5,335 court trials of civil cases; in criminal matters there were 720 jury trials and 1,303 court trials. Statistics show that 89.4 percent of the civil cases and 95.7 percent of the criminal cases were disposed of without trial. [Tables 2(b), 2(c), 3(b), and 3(c)]

There were 35,089 civil cases pending at the end of 1988 compared with 43,243 on January 1 -- a decrease of 8,154 or 18.9 percent. The number of pending criminal cases increased 14.1 percent (19,477 to 22,218). Of the cases pending statewide, 25 percent of the civil cases and 44 percent of the criminal cases were pending three months or less; 19 percent of the civil cases and 18 percent of the criminal cases were over 18 months old. [Appendices A and B]

In 1988, there were 731 civil/criminal dispositions per district judge -- 18 more than in 1987. [Appendix H] District court judges in the 3rd District had the highest rate of civil/criminal dispositions per judge (893); in the 8th District the average number of dispositions was 573. [Table 4]

A review of the type of cases docketed in the district court shows that 48.3 percent of the 48,432 civil filings involved domestic relations -- dissolutions and modifications (17,705), uniform support actions (5,427), and domestic abuse (276). [Table 5] Parenthetically, the largest category of criminal cases was first and second offense OWI (operating while intoxicated). OWIs comprised 32.9 percent or 16,334 of the 49,704 criminal filings. [Table 6] Appeals of simple misdemeanors (469) and small claims appeals (703) represented only 0.9 percent of the criminal filings and 1.5 percent of the civil filings, respectively. Statistically, only 0.2 percent of the 235,372 simple misdemeanors and 2.4 percent of the 29,019 small claims cases disposed of by judicial officers were appealed to the district court for a second ruling.

The number of probate matters opened climbed 5.0 percent (24,410 to 25,621) during 1988; there were 790 trusteeships, 3,759 guardianships and conservatorships, and 21,072 estates. Corresponding figures for 1987 were 838, 3,705, and 19,866, respectively. The number of estates closed rose 4.8 percent

from 18,241 to 19,117; 60 percent of the estates were closed within a one-year period.

There was a 11.2 percent rise in the number of juvenile petitions filed (6,064 to 6,745) compared with 1987 figures; correspondingly, the number of formal juvenile hearings jumped 8.8 percent (21,818 to 23,733). Fifty-six percent of the juvenile hearings were conducted by juvenile referees; 39 percent were handled by district associate judges; and five percent were heard by district judges. In addition to the regular juvenile cases, there were 875 petitions and 1,086 formal hearings involving termination of parental rights; there were 901 and 1,050 matters the previous year.

The average district judge terminated 731 regular civil/criminal cases and tried 70 contested civil/criminal cases during 1988. The average district associate judge terminated 725 civil/criminal cases and tried 23 contested civil/criminal matters.

There were 235,372 nonindictable state and ordinance cases disposed of in 1988 -- up 2.5 percent from the number (229,652) handled in 1987. Ninety-four percent of the simple misdemeanor cases were disposed of without a contested trial. Judicial officers held 40,074 initial appearances in indictable criminal cases, conducted 773 preliminary hearings, entertained 1,256 applications for search warrants, conducted 469 seized property hearings, disposed of 121 lost property actions and 389 civil infractions, and handled 5,799 hospitalization hearings. Judicial officers disposed of 29,019 small claims actions while the clerks of the district court handled 36,462. There were 462,365 scheduled violations processed in the clerks' offices.

TABLE 1

CIVIL AND CRIMINAL CASES[a] DOCKETED, DISPOSED OF[b] AND PENDING IN 1988 WITH TOTALS COMPARED TO THOSE OF 1987[c]

(Hereafter referred to as Regular Civil and Criminal Cases)

District	Pending January 1	Docketed by Clerk	Disposed of	Pending December 31	Change in Pending
1	7,444	12,730	13,144	7,030	(414)
2	9,836	13,221	14,192	8,865	(971)
3	9,347	12,544	12,892	8,999	(348)
4	3,762	6,169	6,177	3,754	(8)
5	12,338	19,963	22,603	9,698	(2,640)
6	8,424	13,926	13,533	8,817	393
7	6,926	10,975	12,178	5,723	(1,203)
8	4,643	8,608	8,830	4,421	(222)
1988 Statewide	62,720[d]	98,136	103,549	57,307	(5,413)
1987 Statewide	66,224	94,812	98,285	62,751	(3,473)

a. Includes felonies and indictable misdemeanors (serious and aggravated) and actions for money judgments, other than small claims, where the amount in controversy exceeds $2,000. Also includes simple misdemeanors and small claims appealed to the district court. Does not include juvenile or probate cases.

b. There were 19 senior judges, 100 district court judges, 42 district associate judges, and five alternate district associate judges serving Iowa during all or part of 1988. In this report, the activities of senior judges and alternate district associate judges are included in the terminations by district and district associate judges with who they worked.

c. See map showing districts and 1987 population, **Appendix D**.

d. This figure differs from that of December 31, 1987, due to inventory corrections.

TABLE 2

(a)

REGULAR CIVIL CASES

ACTIVITY DURING 1988
WITH TOTALS COMPARED TO THOSE OF 1987

District	Pending 1/1/88	Docketed	Associate Judges[a]		Disposed of by District Judges	Total Dis-positions	Pending 12/31/88
			Assigned To	Disposed By			
1	5,448	5,658	122	146	6,384	6,530	4,576
2	7,306	6,714	60	54	7,902	7,956	6,064
3	5,937	5,224	160	165	5,989	6,154	5,007
4	2,661	3,057	0	0	3,297	3,297	2,421
5	9,263	11,308	12	12	13,982	13,994	6,577
6	5,111	5,861	33	42	6,285	6,327	4,645
7	4,259	5,863	256	320	6,809	7,129	2,993
8	3,258	4,747	70	70	5,129	5,199	2,806
1988 Statewide	43,243[b]	48,432	713	809	55,777	56,586	35,089
1987 Statewide	48,545	49,697	680	550	54,414	54,964	43,278

a. Includes the work of 42 district associate judges and five alternate district associate judges. The 12 district associate judges substituting for judicial magistrates served Polk (2), Dickinson, Story, Woodbury, Warren, Linn, Pottawattamie, Des Moines, Lee, Boone-Hamilton, and Marion-Jasper Counties during 1988; alternate district associate judges served in Dickinson, Marshall, Marion, Jasper, and Warren Counties.

b. This figure differs from that of December 31, 1987, due to inventory corrections.

TABLE 2

(b)

REGULAR CIVIL CASES DISPOSED OF BY DISTRICT JUDGES

Methods of Disposition During 1988 With Totals Compared to Those of 1987

District	Judges	Total Disposed Of	Tried To Jury	Percent Tried To Jury	Tried To Court	Percent Tried To Court	Without Trial	Percent Without Trial
1	12	6,384	62	1.0%	524	8.2%	5,798	90.8%
2	17	7,902	57	0.7%	563	7.1%	7,282	92.2%
3	11	5,989	64	1.1%	481	8.0%	5,444	90.9%
4	6	3,297	34	1.0%	485	14.7%	2,778	84.3%
5	22	13,982	207	1.5%	1,482	10.6%	12,293	87.9%
6	11	6,285	67	1.1%	427	6.8%	5,791	92.1%
7	10	6,809	47	0.7%	489	7.2%	6,273	92.1%
8	11	5,129	33	0.7%	761	14.8%	4,335	84.5%
1988 Statewide	100	55,777	571	1.0%	5,212	9.3%	49,994	89.6%
1987 Statewide	100	54,414	512	0.9%	5,047	9.3%	48,855	89.8%

TABLE 2

(c)

REGULAR CIVIL CASES
DISPOSED OF BY DISTRICT ASSOCIATE JUDGES

Methods of Disposition During 1988
With Totals Compared to Those 1987

District	Judges	Total Disposed Of	Tried To Jury	Percent Tried To Jury	Tried To Court	Percent Tried To Court	Without Trial	Percent Without Trial
1	5	146	0	0.0%	6	9.2%	140	90.8%
2	6	54	3	5.6%	68	68.5%	14	25.9%
3	4	165	2	1.2%	27	16.4%	136	82.4%
4	3	0	0	0.0%	0	0.0%	0	0.0%
5	9	12	1	8.3%	3	25.0%	8	66.7%
6	5	42	0	0.0%	1	2.4%	41	97.6%
7	5	320	0	0.0%	6	1.9%	314	98.1%
8	5	70	1	1.4%	43	61.4%	26	37.2%
1988 Statewide	42	809	7	0.9%	123	15.2%	679	83.9%
1987 Statewide	42	550	5	0.9%	109	19.8%	436	79.3%

TABLE 2

(d)

REGULAR CIVIL CASES DISPOSED OF PER JUDGE DURING 1988 WITH TOTALS COMPARED TO THOSE OF 1987

District	District Judges			Associate Judges		
	Number	Dispositions	Per Judge (Average)	Number	Dispositions	Per Judge (Average)
1	12	6,384	532	5	146	29
2	17	7,902	465	6	54	9
3	11	5,989	544	4	165	41
4	6	3,297	550	3	0	0
5	22	13,982	636	9	12	1
6	11	6,285	571	5	42	8
7	10	6,809	681	5	320	64
8	11	5,129	466	5	70	14
1988 Statewide	100	55,777	558	42	809	19
1987 Statewide	100	54,414	544	42	550	13

TABLE 3

(a)

REGULAR CRIMINAL CASES

ACTIVITY DURING 1988
WITH TOTALS COMPARED TO THOSE OF 1987

District	Pending 1/1/88	Docketed	Associate Judges[a]		Disposed of by District Judges	Total Dis-positions	Pending 12/31/88
			Assigned To	Disposed by			
1	1,996	7,072	5,414	5,040	1,574	6,614	2,454
2	2,530	6,507	3,523	3,344	2,892	6,236	2,801
3	3,410	7,320	3,445	2,906	3,832	6,738	3,992
4	1,101	3,112	1,780	1,515	1,365	2,880	1,333
5	3,075	8,655	5,809	5,844	2,765	8,609	3,121
6	3,313	8,065	5,520	4,971	2,235	7,206	4,172
7	2,667	5,112	3,743	3,555	1,494	5,049	2,730
8	1,385	3,861	2,522	2,462	1,169	3,631	1,615
1988 Statewide	19,477[b]	49,704	31,756	29,637	17,326	46,963	22,218
1987 Statewide	17,679	45,115	27,635	26,474	16,847	43,321	19,473

a. Includes the work of magistrates who accepted guilty pleas in first offense drunken driving cases (OWI).

b. This figure differs from that of December 31, 1987, due to inventory corrections.

TABLE 3

(b)

REGULAR CRIMINAL CASES DISPOSED OF BY DISTRICT JUDGES

Methods of Disposition During 1988 With Totals Compared to Those of 1987

District	Judges	Total Disposed Of	Tried To Jury	Percent Tried To Jury	Tried To Court	Percent Tried To Court	Without Trial	Percent Without Trial
1	12	1,574	20	1.3%	186	11.8%	1,368	86.9%
2	17	2,892	65	2.2%	121	4.2%	2,706	93.6%
3	11	3,832	40	1.0%	56	1.5%	3,736	97.5%
4	6	1,365	16	1.2%	24	1.7%	1,325	97.1%
5	22	2,765	128	4.6%	284	10.3%	2,353	85.1%
6	11	2,235	46	2.1%	14	0.6%	2,175	97.3%
7	10	1,494	83	5.6%	18	1.2%	1,393	93.2%
8	11	1,169	39	3.3%	66	5.7%	1,064	91.0%
1988 Statewide	100	17,326	437	2.5%	769	4.5%	16,120	93.0%
1987 Statewide	100	16,847	439	2.6%	647	3.8%	15,761	93.6%

TABLE 3

(c)

REGULAR CRIMINAL CASES
DISPOSED OF BY DISTRICT ASSOCIATE JUDGES

Methods of Disposition During 1988
With Totals Compared to Those of 1987

District	Judges	Total Disposed Of	Tried To Jury	Percent Tried To Jury	Tried To Court	Percent Tried To Court	Without Trial	Percent Without Trial
1	5	5,040	31	0.6%	259	5.1%	4,750	94.3%
2	6	3,344	70	2.1%	47	1.4%	3,227	96.5%
3	4	2,906	0	0.0%	5	0.2%	2,901	99.8%
4	3	1,515	7	0.5%	41	2.7%	1,467	96.8%
5	9	5,844	24	0.4%	70	1.2%	5,750	98.4%
6	5	4,971	60	1.2%	40	0.8%	4,871	98.0%
7	5	3,555	65	1.8%	0	0.0%	3,490	98.2%
8	5	2,462	26	1.1%	72	2.9%	2,364	96.0%
1988 Statewide	42	29,637	283	1.0%	534	1.8%	28,820	97.2%
1987 Statewide	42	26,424	280	1.1%	270	1.0%	25,874	97.9%

TABLE 3

(d)

REGULAR CRIMINAL CASES DISPOSED OF PER JUDGE DURING 1988 WITH TOTALS COMPARED TO THOSE OF 1987

District	District Judges			Associate Judges		
	Number	Dispositions	Per Judge (Average)	Number	Dispositions	Per Judge (Average)
1	12	1,574	131	5	5,040	1,008
2	17	2,892	170	6	3,344	557
3	11	3,832	348	4	2,906	727
4	6	1,365	228	3	1,515	505
5	22	2,765	126	9	5,844	649
6	11	2,235	203	5	4,971	994
7	10	1,494	149	5	3,555	711
8	11	1,169	106	5	2,462	492
1988 Statewide	100	17,326	173	42	29,637	706
1987 Statewide	100	16,847	168	42	26,424	629

TABLE 4

COMPARISON OF TOTAL 1988 CIVIL AND CRIMINAL CASELOAD[a] PER DISTRICT AND DISTRICT ASSOCIATE JUDGE WITH RANK OF DISTRICT IN PARENTHESIS

(Adjusted to the nearest whole case of matter.)

District	Number of Judges	Number of Civil and Criminal Dispositions — District Judges			Number of Judges	Number of Civil and Criminal Dispositions — District Associate Judges		
		Total	Per Judge			Total	Per Judge	
1	12	7,958	663	(6)	5	5,186	1,037	(1)
2	17	10,794	635	(7)	6	3,398	566	(6)
3	11	9,821	893	(1)	4	3,071	768	(4)
4	6	4,662	777	(3)	3	1,515	505	(8)
5	22	16,747	761	(5)	9	5,856	651	(5)
6	11	8,520	775	(4)	5	5,013	1,003	(2)
7	10	8,303	830	(2)	5	3,875	775	(3)
8	11	6,298	573	(8)	5	2,532	506	(7)
1988 Statewide	100	73,103	731		42	30,446	725	
1987 Statewide	100	71,261	713		42	26,974	642	

a. Computed from the sum of such cases disposed of by district and district associate judges, as shown by **Tables 2(b), 2(c), 3(b) and 3(c).**

TABLE 5

NUMBER OF CIVIL FILINGS AND DISPOSITIONS IN THE DISTRICT COURT DURING 1988 BY TYPE OF CASE WITH TOTALS COMPARED TO THOSE OF 1987

District	Dissolutions		Uniform Support		Domestic Abuse		Other Equity And Law		Small Claims Appeals		TOTAL	
	F	D	F	D	F	D	F	D	F	D	F	D
1	1,974	1,931	1,077	1,250	56	56	2,448	3,198	103	95	5,658	6,530
2	2,618	2,605	1,092	1,427	24	27	2,885	3,797	95	100	6,714	7,956
3	1,732	1,760	601	807	83	95	2,743	3,416	65	76	5,224	6,154
4	1,181	1,282	270	258	6	5	1,560	1,714	40	38	3,057	3,297
5	3,916	4,784	933	2,024	15	14	6,262	6,991	182	181	11,308	13,994
6	2,063	2,155	465	497	14	15	3,242	3,564	77	96	5,861	6,327
7	2,222	2,782	731	860	13	34	2,822	3,387	75	66	5,863	7,129
8	1,999	2,215	258	255	65	70	2,359	2,592	66	67	4,747	5,199
1988 Statewide	17,705	19,514	5,427	7,378	276	316	24,321	28,659	703	719	48,432	56,586
1987 Statewide	16,880	17,403	6,364	7,689	249	220	25,419	28,811	785	841	49,697	54,964

Legend: Dissolutions -- original actions and modifications.
Uniform Support -- actions pursuant to the Uniform Support of Dependents Law. (URESA), Chapter 252A, The Code.

TABLE 6

NUMBER OF CRIMINAL FILINGS AND DISPOSITIONS IN THE DISTRICT COURT DURING 1988 BY CASE TYPE WITH TOTALS COMPARED TO THOSE OF 1987

District	OWI (1st/2nd) F	OWI (1st/2nd) D	Other Indictable Misdemeanors F	Other Indictable Misdemeanors D	OWI (3+) F	OWI (3+) D	Other Felonies F	Other Felonies D	Simple Misdemeanor Appeals F	Simple Misdemeanor Appeals D	TOTAL F	TOTAL D
1	2,496	2,368	3,651	3,357	65	76	814	776	46	37	7,072	6,614
2	2,133	2,039	3,018	2,846	60	65	1,234	1,207	62	79	6,507	6,236
3	2,128	2,001	3,459	3,011	41	45	1,639	1,632	53	49	7,320	6,738
4	853	912	1,732	1,423	61	56	431	452	35	37	3,112	2,880
5	2,534	2,437	4,744	4,717	209	187	1,061	1,177	107	91	8,655	8,609
6	3,039	2,675	3,669	3,242	164	152	1,103	1,020	90	117	8,065	7,206
7	1,856	1,835	2,259	2,121	62	73	914	1,002	21	18	5,112	5,049
8	1,295	1,289	1,703	1,514	37	31	771	742	55	55	3,861	3,631
1988 Statewide	16,334	15,556	24,235	22,231	699	685	7,967	8,008	469	483	49,704	46,963
1987 Statewide	15,827	15,367	20,525	19,197	734	626	7,496	7,554	533	577	45,115	43,321

Legend: OWI-operating while intoxicated.
Other Indictable Misdemeanors-includes serious and aggravated misdemeanors other than OWI.

TABLE 7

(a)

PROBATE MATTERS

NUMBER OPENED AND TRIALS ON CONTESTS DURING 1988 WITH TOTALS COMPARED TO THOSE OF 1987

District	Judges	Trusteeships Opened	Guardianships & Conservatorships Opened	Estates Opened	Trials To	
					Jury	Court
1	12	78	434	2,583	2	64
2	17	166	590	3,887	5	64
3	11	113	513	2,695	1	13
4	6	37	284	2,208	0	2
5	22	142	764	3,151	0	67
6	11	114	497	2,438	0	4
7	10	52	320	1,739	0	17
8	11	88	357	2,371	6	61
1988 Statewide	100	790	3,759	21,072	14	292
1987 Statewide	100	838	3,706	19,866	13	337

TABLE 7

(b)

DECEDENTS' ESTATES CLOSED[a]

NUMBER CLOSED DURING 1988 AND AGE AT TIME OF CLOSING WITH TOTALS COMPARED WITH THOSE OF 1987

District	Estates Closed	Percent Within 1-Year		Percent From 1-3 Years		After 3 Years	
1	2,665	(1,684)	63%	(707)	27%	(274)	10%
2	3,880	(2,205)	57%	(1,168)	30%	(507)	13%
3	2,602	(1,626)	63%	(762)	29%	(214)	8%
4	1,351	(769)	57%	(398)	29%	(184)	14%
5	3,086	(1,742)	56%	(1,098)	36%	(246)	8%
6	1,831	(1,026)	56%	(661)	36%	(144)	8%
7	1,298	(701)	54%	(362)	28%	(235)	18%
8	2,404	(1,662)	69%	(563)	23%	(179)	8%
1988 Statewide	19,117	(11,415)	60%	(5,719)	30%	(1,983)	10%
1987 Statewide	18,241	(10,400)	57%	(5,877)	32%	(1,964)	11%

a. In addition, there were 601 trusteeships and 3,359 guardianships and conservatorships closed in 1988.

TABLE 8

(a)

NUMBER AND TYPE OF JUVENILE PETITIONS

FILED DURING 1988
WITH TOTALS COMPARED TO THOSE OF 1987

District	Delinquency	CHINA	FINA	IC	Total
1	451	328	0	10	789
2	381	463	8	2	854
3	443	270	2	2	717
4	279	241	0	0	520
5	579	573	4	10	1,166
6	493	366	0	5	864
7	589	287	3	35	914
8	514	405	1	1	921
1988 Statewide	3,729	2,933	18	65	6,745
1987 Statewide	3,429	2,572	22	41	6,064

Legend: CHINA -- Child in need of assistance.
FINA -- Family in need of assistance.
IC -- Interstate compacts (extradition).

(For definition of these terms, see section 232.2, The Code.)

TABLE 8

(b)

NUMBER OF FORMAL HEARINGS

IN JUVENILE MATTERS DURING 1988
WITH TOTALS COMPARED TO THOSE OF 1987

District	Adjudication	Disposition	Review	D/S	Other	Total
1	567	599	889	286	1,013	3,354
2	524	652	746	223	356	2,501
3	479	369	808	176	647	2,479
4	416	271	411	99	286	1,483
5	707	1,506	1,239	118	518	4,088
6	529	772	2,181	408	1,251	5,141
7	383	1,063	440	177	433	2,496
8	396	508	915	73	299	2,191
1988 Statewide	4,001	5,740	7,629	1,560	4,803	23,733
1987 Statewide	3,804	5,453	6,584	1,410	4,567	21,818

Legend: Adjudication hearing -- Section 232.2(2), The Code.
Disposition hearing -- Section 232.2(16), The Code.
Review hearing -- Section 212.102(6), The Code.
D/S -- Detention/Shelter hearing -- Section 232.2(14)(46), The Code.
Other -- Includes such proceedings as: hearings on motions for change of venue and placement, motions for evaluation, change of counsel, motions to continue or suppress evidence, and contempt of court and probation violation hearings.

TABLE 9

NUMBER OF PETITIONS FILED AND NUMBER AND TYPE OF FORMAL HEARINGS HELD IN CASES INVOLVING VOLUNTARY AND INVOLUNTARY TERMINATION OF PARENTAL RIGHTS, 1988

District	Number of Petitions Filed	Number and Type of Formal Hearings		
		Trial Determination	Review	Total
1 Va	89	68	8	76
Ib	27	35	6	41
	116	103	14	117
2 V	109	50	21	71
I	41	34	15	49
	150	84	36	120
3 V	117	58	9	67
I	12	14	7	21
	129	72	16	88
4 V	31	32	31	63
I	33	15	2	17
	64	47	33	80
5 V	111	99	31	130
I	87	44	39	83
	198	143	70	213
6 V	55	53	102	155
I	32	30	131	161
	87	83	233	316
7 V	43	44	3	47
I	4	2	0	2
	47	46	3	49
8 V	64	60	17	77
I	20	20	6	26
	84	80	23	103
1988 V	619	464	222	686
Statewide I	256	194	206	400
Totals	875	658	428	1,086

a. V -- Voluntary or uncontested termination proceeding
b. I -- Involuntary or contested termination proceeding.

TABLE 10

NUMBER AND TYPE OF HOSPITALIZATION HEARINGS DURING 1988 WITH TOTALS COMPARED TO THOSE OF 1987

District	Involuntary Minor	Involuntary Adult	Emergency	Substance Abuse	Total
1	63	361	289	210	923
2	42	416	307	235	1,000
3	23	297	235	162	717
4	27	107	104	50	288
5	14	372	148	265	799
6	38	356	180	285	859
7	47	253	165	111	576
8	13	326	141	157	637
1988 Statewide	267	2,488	1,569	1,475	5,799[a]
1987 Statewide	142	2,256	1,250	1,407	5,055

a. The number of hearings conducted by judges, magistrates, and referees are as follows: hospitalization referees, 4,740; magistrates, 511; district associate judges, 250; and district judges, 298.

TABLE 11

TOTAL ACTIVITY[a] OF ASSOCIATE JUDGES DURING 1988 ON MATTERS OTHER THAN REGULAR CIVIL AND CRIMINAL CASES, TERMINATION OF PARENTAL RIGHTS, AND JUVENILE CASES WITH TOTALS COMPARED TO THOSE OF 1987

District	Judges	Pending January 1	Docketed or Assigned	Disposed Of	Pending December 31
1	5	1,274	11,410	11,309	1,375
2	6	799	12,904	12,826	877
3	4	2,315	15,132	14,767	2,680
4	3	1,274	5,668	5,261	1,681
5	9	40,693	65,947	64,682	41,958
6	5	5,441	17,897	17,619	5,719
7	5	771	6,581	6,300	1,052
8	5	1,274	38,738	38,543	1,469
1988 Statewide	42	53,841	174,277	171,307	56,811
1987 Statewide	42	47,979	136,341	130,595	53,725

a. Includes nonindictable (simple) misdemeanors, lost property actions, small claims, initial appearances, preliminary hearings, search warrant applications, and seized property and hospitalization hearings. Pending figures include misdemeanors and small claims only.

NOTE: For complete and detailed information on the various types of cases combined in this table, see **Tables 12(a) through 12(d), 14(d) and 9.**

TABLE 12

(a)

INITIAL APPEARANCE PROCEEDINGS AND PRELIMINARY HEARINGS

1988 ACTIVITY OF ASSOCIATE JUDGES WITH TOTALS COMPARED TO THOSE OF 1987

District	Judges	Number of	
		Initial Appearances[a]	Preliminary Hearings[b]
1	5	1,439	8
2	6	1,973	183
3	4	2,521	1
4	3	0	0
5	9	7,562	59
6	5	3,261	0
7	5	2,614	0
8	5	1,362	1
1988 Statewide	42	20,732	252
1987 Statewide	42	18,863	298

a. Refers to the initial court appearance of a person charged with a criminal offense above a simple misdemeanor. See rule 2(1), R. Cr. P.

b. Refers to a preliminary hearing held in a criminal case above a simple misdemeanor. See rule 2(4), R. Cr. P.

TABLE 12

(b)

NONINDICTABLE - STATE CASES

1988 ACTIVITY OF ASSOCIATE JUDGES WITH TOTALS COMPARED TO THOSE OF 1987

District	Judges	Pending 1/1/88	Docketed	Disposed Of By				Pending 12/31/88
				Trial to Jury	Trial to Court	Without Trial		
						Guilty Plea	Dismissed/ Transferred	
1	5	1,018	4,962	5	173	3,826	922	1,054
2	6	439	4,904	25	184	3,445	1,102	587
3	4	1,702	8,353	0	311	4,983	2,680	2,081
4	3	1,084	3,634	0	3	2,296	955	1,464
5	9	4,963	21,362	27	998	17,577	3,703	4,020
6	5	1,830	5,739	3	224	3,467	1,679	2,196
7	5	503	3,144	4	26	2,443	347	827
8	5	868	4,179	0	298	2,507	1,297	945
1988 Statewide	42	12,407	56,277	64	2,217	40,544	12,685	13,174
1987 Statewide	42	12,096	51,129	118	1,847	35,450	13,505	12,305

TABLE 12

(c)

NONINDICTABLE - ORDINANCE CASES

1988 ACTIVITY OF ASSOCIATE JUDGES WITH TOTALS COMPARED TO THOSE OF 1987

District	Judges	Pending 1/1/88	Docketed	Disposed Of By				Pending 12/31/88
				Trial to Jury	Trial to Court	Without Trial: Guilty Plea	Without Trial: Dismissed/ Transferred	
1	5	153	3,464	2	13	2,763	620	219
2	6	323	5,110	3	200	4,479	500	251
3	4	602	3,672	0	185	2,909	596	584
4	3	125	461	0	7	287	165	127
5	9	35,727	26,713	20	1,295	18,113	5,076	37,936
6	5	3,482	6,909	5	165	6,373	449	3,399
7	5	268	673	1	11	622	82	225
8	5	373	2,864	2	192	2,231	332	480
1988 Statewide	42	41,053	49,866	33	2,068	37,777	7,820	43,221
1987 Statewide	42	35,470	49,705	78	2,016	35,815	6,227	41,039

TABLE 12

(d)

SMALL CLAIMS

1988 ACTIVITY OF ASSOCIATE JUDGES WITH TOTALS COMPARED TO THOSE OF 1987

District	Judges	Pending 1/1/88	Assigned By Clerk	Disposed Of By:			Pending 12/31/88
				Trial to Court	Without Trial: Default	Without Trial: Dismissed/ Transferred	
1	5	103	1,399	319	929	152	102
2	6	37	635	396	153	84	39
3	4	11	575	159	361	51	15
4	3	65	1,556	697	693	141	90
5	9	3	10,217	2,828	7,355	35	2
6	5	129	1,988	974	676	343	124
7	5	0	109	81	0	28	0
8	5	33	1,348	533	764	40	44
1988 Statewide	42	381	17,827	5,987	10,931	874	416
1987 Statewide	42	413	15,448	5,154	9,502	824	381

a. District associate judges also disposed of one county infractions and 158 muncipal infractions. An infraction is a civil offense punishable by a civil penalty of not more than $100 for each violation or $200 or less for each repeat offense.

TABLE 13

TOTAL ACTIVITY[a] OF MAGISTRATES DURING 1988 WITH TOTALS COMPARED TO THOSE OF 1987

District	Magistrates Actual[b]	(Authorized)	Pending January 1	Docketed Or Assigned[c]	Disposed	Pending December 31
1	23	(23)	5,400	29,157	28,811	5,746
2	32	(38)	2,286	27,091	26,727	2,650
3	26[d]	(30)	1,795	22,734	22,515	2,014
4	16	(19)	1,197	13,823	13,482	1,538
5	16[d]	(27)	1,200	11,743	12,002	941
6	14	(17)	2,192	28,363	28,073	2,482
7	13	(13)	2,847	17,294	16,388	3,753
8	18	(24)	1,791	16,270	16,001	2,060
1988 Statewide	158	(191)	18,708[e]	166,475	163,999	21,184
1987 Statewide	158	(191)	17,506	169,592	168,355	18,743

a. This table does not include the 230 infractions and the 309 OWI guilty pleas handled by magistrates in 1988. See **Tables 3(a) and 14(e)**.
b. The 1988 figures indicate the actual number of magistrates serving in each district; figures in parenthesis show the number of magistrate positions authorized. See footnote a, **Table 2(a)** for counties using substitute district associate judges and **Appendix E** for the July 1, 1989, allocation of magistrates. The 1988 activity of district associate judges substituting for magistrates is included in the work load of regular district associate judges as illustrated in **Table 11** rather than the business of magistrates presented in this table.
c. For purposes of this table, all search warrant applications, seized property hearings, lost property actions, preliminary hearings, initial appearances, and hospitalization hearings docketed in 1988 were considered disposed of by the end of the year. Pending figures refer only to small claims and simple misdemeanors (nonindictable state and ordinance cases).
d. During 1988, Ida, Adair, and Monona Counties exercised the option provided in Iowa Code section 602.6402, and divided their one magistrate position into two jobs leaving 158 magistrates to fill 155 salaried positions.
e. This figure differs from that of December 31, 1987 due to inventory corrections.

TABLE 14

(a)

INITIAL APPEARANCE PROCEEDINGS AND PRELIMINARY HEARINGS

1988 ACTIVITY OF MAGISTRATES WITH TOTALS COMPARED TO THOSE OF 1987

District	Number Of Initial Appearances[a]	Preliminary Hearings[b]
1	2,363	28
2	3,978	199
3	2,450	121
4	1,049	26
5	1,341	76
6	3,706	3
7	1,925	7
8	2,530	61
1988 Statewide	19,342	521
1987 Statewide	19,890	737

a. Refers to the initial court appearance of a person charged with a criminal offense above a simple misdemeanor. See rule 2(1), R. Cr. P.

b. Refers to a preliminary hearing held in a criminal case above a simple misdemeanor. See rule 2(4), R. Cr. P.

TABLE 14

(b)

NONINDICTABLE – STATE CASES

1988 ACTIVITY OF MAGISTRATES WITH TOTALS COMPARED TO THOSE OF 1987

District	Pending 1/1/88	Docketed	Disposed Of By				Pending 12/31/88
			Trial To Jury	Trial To Court	Without Trial: Guilty Plea	Without Trial: Dismissed/ Transferred	
1	1,857	11,543	11	1,019	7,292	3,255	1,823
2	1,841	17,040	17	1,857	11,009	3,853	2,145
3	1,584	14,476	8	867	9,553	3,848	1,784
4	836	8,301	11	734	5,443	2,030	919
5	1,058	8,022	26	757	5,553	1,956	788
6	1,822	15,184	36	1,059	11,369	2,469	2,073
7	1,603	8,710	13	817	5,096	1,913	2,474
8	1,402	11,014	23	643	7,761	2,203	1,786
1988 Statewide	12,003a	94,290	145	7,753	63,076	21,527	13,792
1987 Statewide	11,336	91,586	151	7,535	60,594	22,599	12,043

a. This figures differs from that of December 31, 1987 due to inventory corrections.

TABLE 14

(c)

NONINDICTABLE – ORDINANCE CASES

1988 ACTIVITY OF MAGISTRATES WITH TOTALS COMPARED TO THOSE OF 1987

District	Pending 1/1/88	Docketed	Disposed Of By				Pending 12/31/88
			Trial To Jury	Trial To Court	Without Trial: Guilty Plea	Without Trial: Dismissed/ Transferred	
1	3,530	13,659	2	650	10,164	2,464	3,909
2	239	3,636	1	356	2,972	227	319
3	142	4,344	0	284	3,381	640	181
4	337	3,631	0	184	2,743	449	592
5	105	1,603	1	272	1,043	268	124
6	278	7,821	4	373	6,675	765	282
7	605	3,939	5	311	2,614	1,111	503
8	321	1,610	5	132	1,303	264	227
1988 Statewide	5,557	40,243	18	2,562	30,895	6,188	6,137
1987 Statewide	4,973	44,297	38	3,101	33,282	7,296	5,553

TABLE 14

(d)

SEARCH WARRANT APPLICATIONS AND SEIZED PROPERTY HEARINGS BY TYPE OF JUDICIAL OFFICER

1988 ACTIVITY OF MAGISTRATES WITH TOTALS COMPARED TO THOSE OF 1987

District	Search Warrant Applications				Seized Property Hearings			
	DJ	DAJ	M	Total	DJ	DAJ	M	Total
1	76	29	60	165	2	142	17	161
2	5	64	168	237	0	16	9	25
3	0	43	99	142	0	0	9	9
4	0	16	53	69	0	1	14	15
5	81	93	46	220	87	3	12	102
6	2	89	42	133	0	15	12	27
7	16	85	39	140	23	0	1	24
8	8	23	119	150	0	80	26	106
1988 Statewide	188	442	626	1,256	112	257	100	469
1987 Statewide	124	478	771	1,373	53	203	98	354

Legend: DJ -- District Judges
DAJ -- District Associate Judges
M -- Magistrates

There were also 19 lost property actions handled by magistrates and 102 such actions disposed of district associate judges in 1988.

TABLE 14

(e)

SMALL CLAIMS

1988 ACTIVITY OF MAGISTRATES WITH TOTALS COMPARED TO THOSE OF 1987

District	Pending 1/1/88	Assigned By Clerk	Disposed Of By[a]			Pending 12/31/88
			Trial To Court	Without Trial		
				Default	Dismissed/ Transferred	
1	13	1,471	1,077	357	36	14
2	206	2,060	1,507	397	176	186
3	69	1,235	736	384	135	49
4	24	749	387	330	29	27
5	37	643	522	59	70	29
6	92	1,594	625	740	194	127
7	639	2,673	1,430	842	264	776
8	68	909	725	111	94	47
1988 Statewide	1,148[b]	11,334	7,009	3,220	998	1,255
1987 Statewide	1,197	11,554	7,010	3,491	1,103	1,147

a. Magistrates also disposed of 17 county infraction and 213 municipal infractions. An infraction is a civil offense punishable by a civil penalty of not more than $100 for each violation or $200 or less for each repeat offense.

b. This figures differs from that of December 31, 1987, due to inventory corrections.

TABLE 15

SMALL CLAIMS DOCKET MAINTAINED BY THE CLERK DURING 1988 WITH TOTALS COMPARED TO THOSE OF 1987

District	Pending 1/1/88	Docketed	Disposed Of By		Pending 12/31/88
			Clerk	Judicial Officers[a]	
1	923	6,959	3,791	2,870	1,221
2	2,054	9,650	6,957	2,713	2,034
3	1,292	7,690	5,802	1,826	1,354
4	829	4,372	2,071	2,277	853
5	2,161	17,197	7,029	10,869	1,460
6	1,069	6,772	3,065	3,552	1,224
7	1,241	6,770	4,377	2,645	989
8	1,013	5,721	3,370	2,267	1,097
1988 Statewide	10,582[b]	65,131	36,462	29,019	10,232
1987 Statewide	10,486	63,394	36,183	27,084	10,613

a. Includes small claims dispositions by magistrates and judges.

b. This figure differs from that of December 31, 1987, due to inventory corrections.

TABLE 16
NUMBER OF SCHEDULED VIOLATIONS(a)
Handled Exclusively by the District Court Clerks (per county)

County	1988	1987
Adair	1,878	1,763
Adams	1,069	1,085
Allamakee	1,274	1,209
Appanoose	2,332	2,857
Audubon	802	759
Benton	3,732	3,416
Black Hawk	16,006	15,821
Boone	3,280	3,577
Bremer	2,831	2,829
Buchanan	2,695	2,217
Buena Vista	3,603	4,064
Butler	2,713	2,359
Calhoun	1,396	848
Carroll	5,153	4,925
Cass	3,269	3,218
Cedar	9,541	9,378
Cerro Gordo	8,409	11,634
Cherokee	2,508	2,740
Chickasaw	2,161	2,548
Clarke	5,429	5,861
Clay	3,722	3,378
Clayton	2,977	2,873
Clinton	7,146	5,869
Crawford	3,675	3,697
Dallas	4,229	4,088
Davis	1,040	1,105
Decatur	1,613	1,799
Delaware	3,898	3,110
Des Moines	6,080	4,944
Dickinson	3,489	3,599
Dubuque	9,939	7,442
Emmet	800	704
Fayette	3,736	3,743
Floyd	2,113	1,976
Franklin	4,031	3,800
Fremont	1,979	1,994
Greene	2,319	2,049
Grundy	2,514	2,518
Guthrie	1,516	1,133
Hamilton	3,198	3,370
Hancock	1,564	1,356
Hardin	2,561	2,125
Harrison	3,879	5,828
Henry	2,963	2,873
Howard	797	866
Humboldt	1,492	1,410
Ida	1,173	1,179
Iowa	1,965	2,714
Jackson	2,279	1,884
Jasper	4,611	5,503
Jefferson	2,442	2,266
Johnson	15,525	16,428
Jones	2,046	1,685
Keokuk	427	497
Kossuth	1,833	1,896
Lee	4,394	3,373
Linn	15,206	16,431
Louisa	1,313	1,836
Lucas	1,151	1,250
Lyon	1,070	1,059
Madison	1,387	1,065
Mahaska	3,257	4,336
Marion	5,930	5,945
Marshall	4,045	4,224
Mills	2,692	2,800
Mitchell	916	967
Monona	1,724	2,008
Monroe	1,858	1,889
Montgomery	1,526	1,357
Muscatine	6,597	5,213
O'Brien	2,060	2,258
Osceola	1,111	850
Page	948	851
Palo Alto	1,322	1,389
Plymouth	5,068	4,505
Pocahontas	718	868
Polk	85,610	95,071
Pottawattamie	15,733	13,480
Poweshiek	3,257	3,546
Ringgold	216	188
Sac	2,324	3,356
Scott	25,635	25,353
Shelby	1,805	1,620
Sioux	2,729	2,631
Story	9,080	9,244
Tama	4,826	4,219
Taylor	355	478
Union	2,072	2,145
Van Buren	626	884
Wapello	8,401	7,063
Warren	4,323	4,147
Washington	2,293	2,125
Wayne	920	837
Webster	4,261	3,023
Winnebago	601	838
Winneshiek	1,909	1,913
Woodbury	20,392	17,470
Worth	3,907	4,267
Wright	1,145	1,203
TOTAL	462,365	464,384

(a) Scheduled violations are defined in section 805.8, The Code.

APPENDIX A

NUMBER AND AGE OF CIVIL CASES[a] PENDING DECEMBER 31, 1988 WITH TOTALS COMPARED TO THOSE OF 1987

District	Total Number Pending	Number of Cases Pending (In Percent)					
		90 Days Or Less		3-18 Months		Over 18 Months	
1	4,576	1,065	23%	2,533	55%	978	22%
2	6,064	1,305	22%	3,156	52%	1,603	26%
3	5,007	964	19%	2,643	53%	1,400	28%
4	2,421	545	23%	1,359	56%	517	21%
5	6,577	1,943	30%	3,886	59%	748	11%
6	4,645	1,128	24%	2,620	57%	897	19%
7	2,993	923	31%	1,928	64%	142	5%
8	2,806	880	31%	1,600	57%	326	12%
1988 Statewide	35,089	8,753	25%	19,725	56%	6,611	19%
1987 Statewide	43,278	9,683	22%	23,629	55%	9,966	23%

a. Includes civil cases above a small claim and small claims on appeal.

APPENDIX B

NUMBER AND AGE OF CRIMINAL CASES[a] PENDING DECEMBER 31, 1988 WITH TOTALS COMPARED TO THOSE OF 1987

District	Total Number Pending	Number of Cases Pending (In Percent)					
		90 Days Or Less		3-18 Months		Over 18 Months	
1	2,454	1,196	49%	880	36%	378	15%
2	2,801	1,173	42%	998	35%	630	23%
3	3,992	1,201	30%	1,612	40%	1,179	30%
4	1,333	799	60%	265	20%	269	20%
5	3,121	1,553	50%	1,212	39%	356	11%
6	4,172	1,675	40%	1,633	39%	864	21%
7	2,730	1,501	55%	1,077	39%	152	6%
8	1,615	748	46%	637	40%	230	14%
1988 Statewide	22,218	9,846	44%	8,314	38%	4,058	18%
1987 Statewide	19,473	9,103	47%	6,676	34%	3,694	19%

a. Includes criminal cases above a small misdemeanor and simple misdemeanors on appeal.

APPENDIX C

POPULATION PER DISTRICT COURT JUDGE

District	Judges	District Populationa	Population Per Judge
1	12	375,100	31,258
2	17	476,200	28,012
3	11	336,500	30,590
4	6	194,000	32,333
5	22	549,000	24,955
6	11	331,700	30,155
7	10	290,200	29,020
8	11	281,900	25,627
STATE	100	2,834,600	28,346

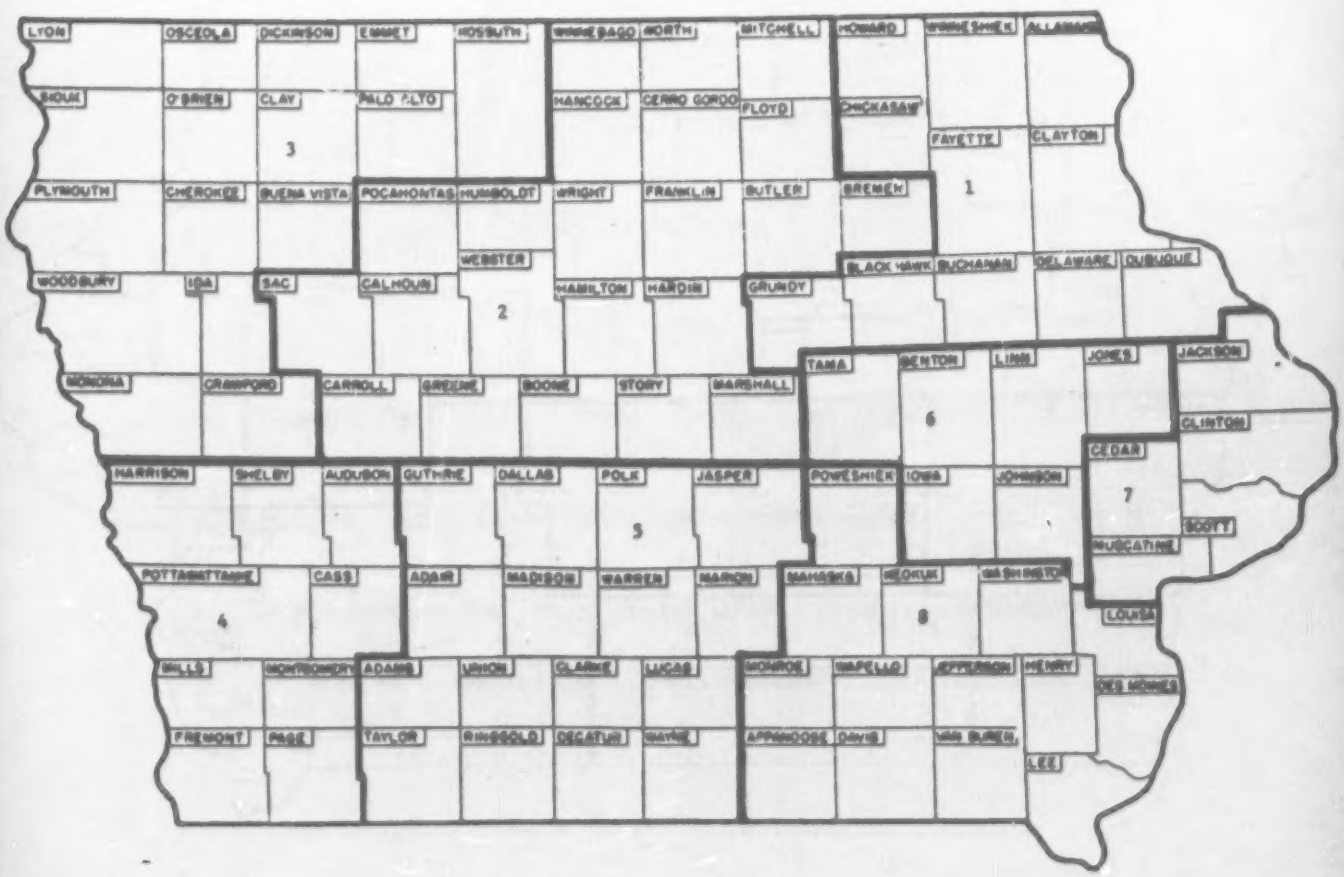
a. Official 1987 population statistics -- U.S. Bureau of the Census and the Iowa Department of Economic Development.

APPENDIX D

IOWA'S EIGHT JUDICIAL DISTRICTS -- POPULATION[a]

First District	375,100	Fifth District	549,000
Second District	476,200	Sixth District	331,700
Third District	336,500	Seventh District	290,200
Fourth District	194,000	Eighth District	281,900

STATE TOTAL -- 2,834,600

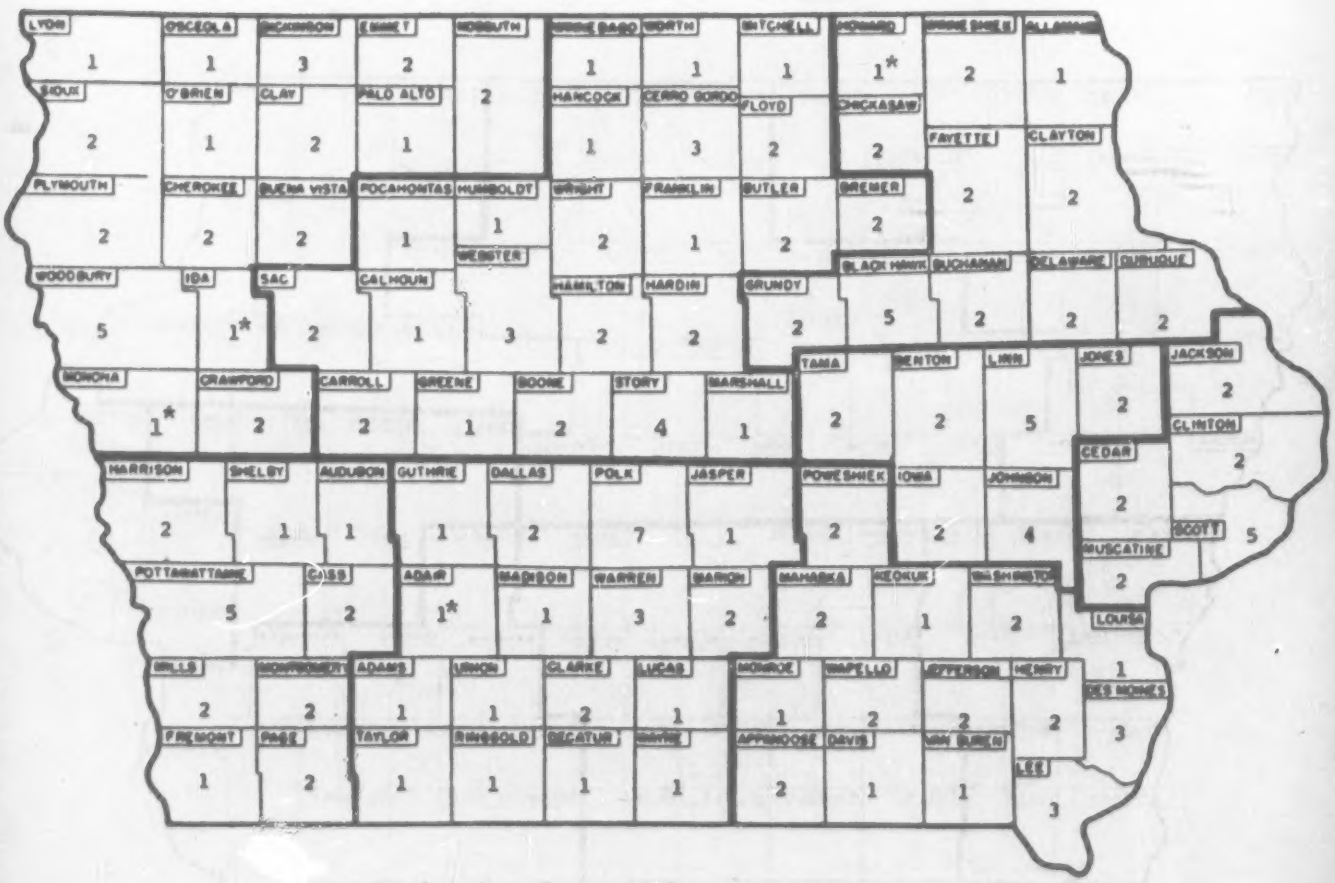


a. Official 1987 population figures -- U.S. Bureau of the Census.

APPENDIX E

ALLOCATION OF JUDICIAL MAGISTRATES
AUGUST 1, 1989 THROUGH JULY 31, 1991

37 - one Magistrate counties
48 - two Magistrate counties
6 - three Magistrate counties
2 - four Magistrate counties
5 - five Magistrate counties
1 - seven Magistrate county



* Counties taking the option of appointing one additional magistrate as provided in section 602.58.

APPENDIX F

FILINGS IN THE IOWA DISTRICT COURT
1956 - 1988

Year	# District Judges	Civila	Criminalb	TOTAL	Per Judge	Juvenilec	Probated Opened
1988	100	48,432	49,704	98,136	981	6,745	25,621
1987	100	49,697	45,115	94,812	948	6,064	24,410
1986	99	53,027	45,391	98,418	994	6,367	23,793
1985	99	54,005	41,116	95,121	961	6,060	24,790
1984	99	49,294	40,379	89,673	906	6,099	24,190
1983	99	51,476	39,952	91,428	924	5,532	24,233
1982	95	55,763	39,008	94,771	998	5,363	24,329
1981	95	58,225	36,932	95,157	1,002	5,570	24,192
1980	92	58,442	35,669	94,111	1,028	5,501	23,452
1979	92	51,031	31,026	82,057	892	5,227	23,479
1978	92	46,498	27,942	74,440	809	6,179	24,218
1977	92	43,324	28,795	72,119	784	6,000	23,202
1976	89	40,103	26,009	66,112	742	5,744	22,896
1975	84	37,963	23,600	61,563	733	5,685	22,640
1974	83	36,216	20,653	56,869	685	5,446	22,646
1973	83	38,057	16,148	54,205	653	3,730	22,803
1972	76	40,483	10,699	51,182	673	2,567	21,953
1971	76	40,315	11,300	51,615	679	3,249	21,317
1970	76	37,965	10,140	48,105	633	3,224	20,470
1969	76	35,574	9,505	45,079	593	2,876	20,158
1968	75	33,617	8,367	41,984	560	2,626	19,520
1967	76	31,646	7,496	39,142	515	2,367	19,310
1966	75	30,310	7,159	37,469	500	2,146	19,515
1965	75	29,207	7,432	36,639	489	2,163	19,463
1964	75	28,405	7,004	35,409	472	2,341	19,034
1963	75	28,138	6,641	34,779	464	2,096	18,532
1962	75	28,528	7,113	35,641	475	2,035	17,831
1961	75	28,288	7,209	35,497	473	1,880	17,346
1960	73	26,767	7,260	34,027	466	2,012	17,248
1959	73	25,136	7,086	32,222	441	2,005	17,117
1958	72	23,661	6,724	30,385	422	1,937	16,694
1957	72	23,579	6,486	30,065	418	1,921	16,945
1956	70	22,922	6,178	29,100	416	1,607	16,137

a. Includes civil cases over $2,000 and small claims on appeal.
b. Includes indictable criminal cases (serious and aggravated misdemeanors and felonies) and simple misdemeanor appeals.
c. Includes petitions filed in ordinary juvenile matters, e.g., delinquency, child and family in need of assistance and interstate compacts (extradition) matters; does not encompass cases involving termination of parental rights. [Table 8(a)]
d. Includes the number of estates, trusteeships, guardianships and conservatorships opened. [Table 7(a)]

APPENDIX G

OTHER FILINGS IN THE IOWA DISTRICT COURT
1974 - 1988

Year	Simple Misdemeanors	Scheduled Violations	Small Claims
1988	240,676	461,810	65,131
1987	229,652	464,384	63,394
1986	236,179	452,458	68,465
1985	229,425	426,302	73,752
1984	232,070	426,023	71,666
1983	221,841	418,124	67,298
1982	231,998	425,272	67,967
1981	267,436	470,553	75,259
1980	292,037	490,158	82,208
1979	291,404	462,224	78,141
1978	319,481	476,955	72,054
1977	410,862	310,710	65,434
1976	410,696	285,086	62,416
1975	375,707	223,622	63,582
1974a	286,504	196,147	68,021

a. This was the first full year under the new unified court system which became effective July 1, 1973.

APPENDIX H

CIVIL/CRIMINAL DISPOSITIONS BY DISTRICT COURT JUDGES[a]
1956 - 1988

Year	# District Judges	Civil[b]	Criminal[c]	TOTAL	Per Judge
1988	100	55,777	17,326	73,103	731
1987	100	54,414	16,847	71,261	713
1986	99	54,284	19,387	73,671	744
1985	99	51,001	17,882	68,883	696
1984	99	49,324	20,382	69,706	704
1983	99	52,706	19,815	72,521	733
1982	95	54,484	19,027	73,511	774
1981	95	54,511	17,834	72,345	762
1980	92	52,799	17,448	70,247	764
1979	92	47,754	15,098	62,852	683
1978	92	41,898	14,561	56,459	614
1977	92	38,682	17,200	55,882	607
1976	89	37,319	17,750	55,069	619
1975	84	35,737	14,874	50,611	603
1974	83	35,007	14,268	49,275	594
1973	83	38,381	12,384	50,765	612
1972	76	40,553	11,147	51,700	680
1971	76	38,455	10,659	49,114	646
1970	76	35,636	9,304	44,940	591
1969	76	32,642	8,676	41,318	544
1968	75	29,541	8,035	37,576	501
1967	76	29,343	7,267	36,610	482
1966	75	30,140	6,916	37,056	494
1965	75	30,280	6,654	36,934	492
1964	75	28,258	6,757	35,015	467
1963	75	29,342	6,551	35,893	479
1962	75	28,941	7,165	36,106	481
1961	75	30,616	7,556	38,172	509
1960	73	24,094	7,196	31,290	429
1959	73	23,988	6,949	30,937	424
1958	72	23,304	6,533	29,837	414
1957	72	23,302	6,832	30,234	420
1956	70	21,741	5,836	27,577	394

a. Does not include civil and criminal cases disposed of by judges of limited jurisdiction and magistrates.
b. Includes civil cases over $2,000 and small claims cases appealed to the district court. [Table 2(a)]
c. Includes indictable criminal cases (serious and aggravated misdemeanors and felonies) and simple misdemeanor appeals. [Table 3(a)]